



December 18, 2015

Mr. David Lloyd  
 Director of Brownfields Cleanup and Revitalization  
 U.S. Environmental Protection Agency  
 Washington, DC

Subject: FY 2016 Hazardous Substances Brownfield Cleanup Grant  
 Former Surath Scrap Yard, Bay City, MI 48706  
 Transmittal Letter

Dear Mr. Lloyd:

The City of Bay City is providing this proposal for a Brownfield Cleanup Grant to assist with environmental cleanup activities at the former Surath Scrap Yard property located 1001 East Ohio Street and Marina Park Drive, Bay City, Bay County, Michigan. The 13.37 acre property was developed in the late 1890s as a lumber yard and sawmill. From the early 1900s to the 1930s, the property was utilized for railroad operations, warehousing, and by boat slips. The property then operated as a scrap yard from the late 1930s until the mid-1980s. The property was purchased by the City of Bay City in the 1980s. At that time, a portion of the property was designated as a right of way for the construction of a vehicle bridge that is known as the Liberty Bridge. Remaining portions of the property have been undeveloped since the 1980s.

We are now tackling the monumental task of reinventing the property and returning it to productive use for the community. The site is located on the Saginaw River and is near the Midland Street Historic District. The property in its current condition poses health, safety, and environmental threats to the community, surface water, and future development.

The proposed USEPA brownfield cleanup grant will provide the necessary funding to assist in the process of cleanup and to ready the site for future redevelopment. As this application will demonstrate, the USEPA cleanup grant will be one piece of the overall project and the City of Bay City will continue to invest dollars directly into the project and assist in restoring the community as a tourist destination and create economic growth.

The cleanup and redevelopment of the former Surath Scrap Yard property will greatly promote economic, social, and financial benefits to the community. We have managed millions of dollars in Federal, state, as well as institutional grants and is ready to provide the oversight and management of all grant funds awarded. Applicant information for this grant is as follows:

a. **Applicant Information**

City of Bay City  
 301 Washington Avenue  
 Bay City, MI 48706  
 (989) 894-8200

b. **DUNS Number** 0662018440000

c. **Funding Requested**

- i) **Grant Type:** Brownfield Cleanup Grant
- ii) **Amount:** \$150,000
- iii) **Contamination:** Hazardous Substances



d. **Location**

Bay City, Bay County, Michigan

e. **Property Name and Address**

Former Surath Scrap Yard

**1001 East Ohio Street and Marina Park Drive, Bay City, MI., 48706**

f. **Contacts**

**Project Director:** Sara Dimitroff, Economic Development Project Manager  
301 Washington Avenue  
Bay City, MI 48706  
Office: (989) 894-8159, Facsimile: (989) 894-8220 E-mail: [sdimitroff@baycitymi.org](mailto:sdimitroff@baycitymi.org)

**City Manager:** Richard Finn, City Manager  
City of Bay City  
301 Washington Avenue  
Bay City, Michigan 48708  
Phone: 989-894-8200  
Email: [RFinn@baycitymi.org](mailto:RFinn@baycitymi.org)

g. **Date Submitted:** December 18, 2015

h. **Project Period:** Three Years

i. **Population of Jurisdiction**

According to the 2010 Census, the population of Bay City, MI is 34,932, and Bay County is 107,771.

We welcome the opportunity to work with the USEPA on its brownfield initiative. Thank you for your time and consideration of this grant proposal.

Sincerely,

Sara Dimitroff  
Economic Development Project Manager  
City of Bay City  
301 Washington Avenue  
Bay City, MI 48706  
Cc: Deborah Orr, USEPA Region 5



## FY2016 APPLICATION FOR USEPA BROWNFIELD CLEANUP GRANT

### City of Bay City, Bay County, Michigan Brownfield Cleanup Grant Program

#### THRESHOLD CRITERIA FOR CLEANUP GRANT

#### 1. Applicant Eligibility

##### a. **Eligible Entity**

The City of Bay City is an eligible applicant as it is a Michigan general purpose local unit of government as described in 40 CFR Part 31, and is eligible to receive funding through the U.S. Environmental Protection Agency (EPA) Brownfield Cleanup grant program.

##### b. **Site Ownership**

The site was acquired by the City of Bay City in 1984 through condemnation. The City of Bay City is the sole owner and will maintain ownership until the grant is closed out. The Assessing Records are attached as Attachment B.

#### 2. Letter from the City of Bay City

Attachment C presents the Letters of Acknowledgement and Support for this proposal from the City of Bay City.

#### 3. Site Eligibility and Property Ownership Eligibility

##### a. **Basic Site Information**

##### **Site Name and Address:**

Former Surath scrap yard

1001 East Ohio Street and Marina Park Drive, Bay City, MI 48706

The property consists of the following parcels:

- 1) Parcel # 160-021-151-002-00, 5.50 Acres
- 2) Parcel # 160-021-151-003-00, 1.79 Acres
- 3) Parcel # 160-021-151-004-00, 3.47 Acres
- 4) Parcel # 160-021-151-005-00, 2.61 Acres

##### **Owner:**

City of Bay City

301 Washington Avenue

Bay City, MI 48706

##### b. **Status and History of Contamination at the Site**

This 13.37-acre riverfront site is centrally located in downtown Bay City along the western shoreline of the Saginaw River. This site is the former location of a metal salvage operation from the 1960s through the 1980s. Bay City used all available resources to complete interim responses to demolish the former vacant structures, dispose of waste products and debris, as well as stabilize the surface of the site. The site is impacted with various metals, polychlorinated biphenyls (PCBs), volatiles organic compounds (VOCs), and metals. The City of Bay City is the owner of this vacant brownfield site.



The site was developed in the late 1890s as a lumber yard and sawmill. From the early 1900s to the 1930s, the property was utilized for railroad operations, warehousing, and by boat slips. The property then operated as a scrap yard from the late 1930s until the mid-1980s. The property was obtained by the City of Bay City in 1984 through condemnation. At that time, a portion of the property was designated as a right of way for the construction of a vehicle bridge that is known as the Liberty Bridge. Remaining portions of the property have been undeveloped since the 1980s.



The site is zoned M-2 (General Industrial). The site is located in an area of Bay City that is characterized by undeveloped, commercial, and/or residential properties, a river, a railroad, surface roadways, municipal water, sanitary and storm sewer services, as well as electrical and gas utilities.



Numerous environmental investigations have been conducted at the site in which soil and groundwater contamination, specifically, VOCs, polynuclear aromatic hydrocarbons (PNAs), metals and PCBs have been identified at concentrations at or exceeding MDEQ Part 213 Risk-Based Screening Levels (RBSLs).

**c. Sites Ineligible for Funding**

We have determined the site: (1) is not listed or proposed for listing as a National Priorities List (NPL) site; (2) nor subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); and (3) nor subject to the jurisdiction, custody, or control of the United States Government.

**d. Sites Requiring a Property-Specific Determination**

We do not believe a property specific determination is needed for this site.

**e. Environmental Assessment Required for Cleanup Proposals**

Below is a list of environmental site assessments (ESAs) and characterization activities that were conducted at the site from 1998 through 2007.

- April 1998, Summary of Environmental Conditions, prepared by Wilcox Professional Services.
- August 1998, Report of Soil Sampling Investigation, prepared by SEG Engineers & Consultants, Inc.

Copies of all reports are on file with the City of Bay City and are available upon request.

**Property Ownership Eligibility:**

**f. CERCLA Section 107 Liability**

The City of Bay City affirms that we are not potentially liable for contamination at the site under CERCLA §107. We met the requirements of a bona fide prospective purchaser at the time of acquisition. The City of Bay City was not an owner or operator of a facility at the time of disposal of a hazardous substance, a party that arranged for the treatment or disposal of hazardous substances, or a party that accepted hazardous substances for transport to disposal or treatment facilities at the site.

**g. Enforcement or Other Actions**

We are not aware of any ongoing or anticipated environmental enforcement or other actions related to the brownfield site

**h. Information on Liability and Defenses/Protection**

*i. Information on Property Acquisition*

The site was acquired by the City of Bay City in 1984 through condemnation. The City of Bay City ownership is fee simple and is the sole owner and will maintain ownership until the grant is closed out. The assessment records are included as Attachment B. The City of Bay City does not have any familial, contractual, corporate, or financial relationships or affiliations you have or had with all prior owners or operators (or other potentially responsible parties) of the property.

*ii. Timing and/or Contribution toward Hazardous Substances Disposal*

All known releases of hazardous substances occurred prior to ownership by the City of Bay City. The City of Bay City was not an owner or operator of a facility at the time of disposal of a hazardous substance, a party that arranged for the



treatment or disposal of hazardous substances, or a party that accepted hazardous substances for transport to disposal or treatment facilities at the site.

*i.i.i. Pre-Purchase Inquiry*

We completed an ASTM E1527-05 Phase I ESA report (dated February 19, 2010) in compliance with the AAI Final Rule before acquiring the property. In addition, subsurface investigations were completed at the site in 1998. The reports were all completed for the City of Bay City by an Environmental Professional (EP) as defined under the AAI Rule.

*i.v. Post-Acquisition Uses*

A portion of the site consists of the Liberty Bridge right of way. Remaining portions of the site are unoccupied and consists of undeveloped land.

*iv. Continuing Obligations*

Work proposed at the site will be completed in accordance the Michigan Natural Resources And Environmental Protection Act (NREPA), 1994 PA 451, as amended, Mich. Comp. Laws §101, *et seq.* Specifically, Part 201, as amended, and the Rules promulgated thereunder.

NREPA PA 451, Part 20120a authorizes the Michigan Department of Environmental Quality (MDEQ) to establish cleanup criteria. The analysis of exposure pathways and due care obligations will be based on the MDEQ Generic Cleanup Criteria (GCC) established under Part 201.

Contamination in excess of Part 201 GCC is known to exist at the site. To address potential exposures and comply with due care obligations, we will work with an environmental consulting firm and implement cleanup/response activities as described below.

Part 201 Section 20107a defines due care obligations for owners and operators of a contaminated property. According to Section 7a of Part 201, due care obligations include:

- Undertaking measures to prevent exacerbation of existing contamination.
- Exercising due care by undertaking response activities to mitigate unacceptable exposure to hazardous substances, mitigate fire and explosion hazards, due to hazardous substances, and allow for the intended use of the site in a manner that protects health and safety.
- Taking reasonable precautions against the reasonably foreseeable acts or omissions of a third party and the consequences that could result from those acts or omissions.
- Providing reasonable cooperation, assistance, and access to the persons that are authorized to conduct response activities at the facility, including the cooperation and access necessary for the installation, integrity, operation, and maintenance of any complete or partial response activity at the facility.
- Complying with any land use or resource use restrictions established or relied on in connection with the response activities at the facility.
- Not impeding the effectiveness or integrity of any land use or resource use restriction employed at the facility in connection with response activities.

The proposed cleanup action will comply with Part 201 including due care obligations.

#### **4. Cleanup Authority and Oversight Structure**



The City of Bay City will select, through a competitive bidding process, a qualified environmental consultant to plan and oversee cleanup activities at the site. All cleanup activities will be conducted in compliance with the laws of the State of Michigan; specifically, the NREPA, Part 201. Expertise to oversee the cleanup will be contracted in accordance with 40 CFR 31.36 and will ensure technical expertise is in place before the start of cleanup activities. We have experience with awarding contracts with federal funds. Further, we are experienced with Federal Procurement Procedures and will maintain compliance.

The City of Bay City has the legal authority to identify, assess and remediate brownfields. All environmental work plans. MDEQ district staff and EPA will also be invited to inspect the project as it progresses and ensure the cleanup is protective of human health and the environment. The relationship between the USEPA Cleanup Program and the MDEQ Cleanup Program is outlined in an USEPA Superfund Memorandum of Agreement Addendum I, Brownfields Redevelopment. The objective of this memo formally proposes that the MDEQ Cleanup Program requirements and technical oversight process serve as a sufficient programmatic equivalent for the property specific Non-time Critical Removal Action required by USEPA for properties funded in part or whole by USEPA grant funds.

We do not anticipate the need to access adjoining properties for remediation. However, if off-site access is required for properties not owned by the City of Bay City, we will notify adjacent property owners of the potential for contaminant migration and request off-site access. We will prepare an access agreement and work with the property owner for approval. If necessary, we will work with the MDEQ/EPA to gain site access for adjacent properties that may be potentially impacted by contaminants migrating off-site. In certain circumstances where contaminant migration presents an imminent threat to human health, the MDEQ/EPA can gain site access through the use of a warrant, if necessary.

#### **5. Cost Share**

The City of Bay City is prepared to contribute immediately the 20 percent cost share towards site cleanup. The City of Bay City will conduct an additional subsurface investigation, Baseline Environmental Assessment (BEA), and Due Care Plan for the site.

Below is a statement of the proposed budget and funds that have been and will be supplied towards the cleanup.

Description	Funds Spent	Future Fund Commitments
Phase II Environmental Assessment, BEA, Due Care Plan		\$30,000
Project Management		\$8,000
Site Cleanup & Redevelopment Readiness		\$120,000

The redevelopment of this site is a priority of City of Bay City. The City of Bay City will continue to invest monies towards the redevelopment of the property, in addition to the initial shared costs for cleanup.

#### **6. Community Notification**

On December 3, 2015, we provided public notice to the community of Bay City, Bay City, and the surrounding region. The public notice was posted in the Bay City Democrat newspaper and conversely covered by the local media outlets, including Mlive – Bay City Times and News Radio WSGW. These mechanisms are customary communication methods and recognized as such by the targeted community.

The public notice detailed the city's intent to apply for USEPA Brownfield Cleanup Grant further indicating availability of the draft proposal and analysis of brownfield cleanup alternatives (ABCA) and would be available for review starting December 3, 2015, at the City of Bay City's Economic Development Office between the hours of 8am – 5pm, Monday through Friday. The notice further indicated that written comments before the public meeting could be sent to the Economic Development office at





Bay City's City Hall. The public meeting was held on December 11, 2015, at from 3 – 5 pm in Bay City at 301 Washington Avenue. Prior to both public meetings, no written public comments were received in by the Economic Development office. No Public comments were received that the public meeting.

Presented in Attachment D is (a) a copy of the public notice and solicitation for comment to the draft proposal, (b) a copy of the ABCA available for review at each meeting and (c) the public meetings sign in sheet.

#### RANKING CRITERIA FOR CLEANUP GRANT

##### 1. Community Need

###### a. **Health, Welfare, and Environment**

Bay City is a port community centrally located in Michigan along the shoreline of the Saginaw River, adjacent to Lake Huron. Bay City is comprised of an 11.3 square mile urban footprint. The City of Bay City is a general-purpose unit of local government in the State of Michigan, and as such, is an Eligible Applicant. Bay City has a historical manufacturing legacy dating back to the early 1800s, including timber product production, ship building, automotive and heavy equipment manufacturing that was intensely focused along the shoreline of the Saginaw River. This manufacturing based economy resulted in a burgeoning economy that was extremely susceptible to the manufacturing decline that began in the 1970s and it's widely recognized that the economy in Bay City, and Michigan as a whole, has been stagnant for the last several years, and in a sustained recession when compared to the national averages. Our community has demonstrated that our efforts can reverse these trends. Through continued support and award of funds, we will continue our trend of recovery and growth.



The inherent results of the decline of our manufacturing based economy has resulted in the loss of thousands of manufacturing jobs and the abandonment of an estimated 41% of our industrial facilities along our riverfront and in the very core of our community. Our industrial legacy has resulted in the quality of Saginaw River water being impacted by PCBs, Dioxins, and other industrial contaminants. This impact to our surface water quality has resulted in state and federal advisories against eating game fish from our waterways. These contaminants, in conjunction with the blighted condition of several of the keystone properties within our community, have diminished the aesthetic and recreational value of our water resources, reducing the quality of life of our community members and the associated viability of attracting new residents, businesses, and our visitors.

Bay City understands this scenario is typical throughout the country, but Bay City's leaders and the community as a whole have made monumental progress towards recovery. The Bay City community has been dedicated to a cohesive effort to dramatically improve the social and economic quality of life. Bay City embraced that job creation, safe and desirable housing accommodations, and public recreational infrastructure are all integrally connected components of improving the community. Within the last 12 years, Bay City, through cooperative partnerships with various private and public community partners, has established a record of success. Through a shared vision, the level of transparent and unified reciprocal relationships has resulted in a level of community participation and redevelopment stewardship that is peerless in recent achievements.





Bay City's vision for its community members is an unwavering objective. The recent successful redevelopment and public community improvements are catalyzing the interest and community awareness that is the essential to successful reuse of Brownfields. Bay City is primed to continue to successfully facilitate and support the tangible improvement of the community's economy and environmental quality. The characteristics of Bay City, including; (1) small consolidated footprint, (2) centralize navigable waterway, (3) growing business presence, and (4) well planned mixed residential and commercial business districts epitomize the potential for the centralized work, live, and play lifestyle that is necessary to grow and sustain a thriving community. Bay City has been afforded US EPA grant funds in the past, and with the experience and achievements in cleanup and redevelopment, is confident that future funds will leverage significant.

Based on the many environmental assessments we have completed in the past, most all of our riverfront parcels have been found to be severely impacted with heavy metals and petroleum products. Contaminants have entered into the Saginaw River and adjacent Lake Huron. As a result of the availability of contaminants to leach from our vacant riverfront industrial properties, the City of Bay City has moved the raw water intake for the municipal water supply. Raw water was previously obtained from approximately 6 miles offshore of Bay City within Lake Huron. Since high cost and energy demand to purify this water, the intake was relocated to a location 32 miles offshore, which is beyond the extent of contaminate sediment deposition. This sediment has been deposited over the last century, which continues, as many of the industrial properties are vacant and unmaintained, allowing continued contaminant loading, via impacted soil and sediment erosion, as well as leaching. The need to relocate the raw water intake further offshore is an obvious indicator of the need to reduce contaminant loading. Bay City, through a well-planned and implemented shoreline management approach, has made meaningful improvements to the Great Lakes water quality. The recent redevelopment and riverfront focused community improvement achievements have ingrained a results driven approach for improving all facets of our community. The Bay City community is committed to continuing the recent redevelopment, public community improvements, and environmental management momentum within our community. Our recent successes have shown us not only the community importance these completed projects have meant, but how much more improvement opportunity available within our community.

#### **b. Financial Need**

The cumulative effect of brownfield properties within the City of Bay City, including the former Surath Scrap Yard, have on the residents within surrounding neighborhoods has resulted in a loss of population, chronic high unemployment, rise in certain crimes, significant decline in construction of new housing, and deferred maintenance in the housing stock within these residential districts.

At its peak, Bay City had a population of 53,604 residents in 1960, which steadily declined to 41,593 in 1980, 36,817 in 2000, and 34,932 in 2010 according to the latest census data. It is projected that population will continue to decline. According to the Bureau of Labor Statistics, manufacturing employment as a percentage of total employment was 40% in 1960, falling to 12.5% in 2000 and 3.52 by the end of 2015. As of September 2015, unemployment in Bay City was 4.5%.

Demographic	Bay City	Michigan	United States
Population	34,932	9,884,133	308,758,105
Unemployment	4.5%	5.4%	5.5%
Persons Below Poverty	22.4%	14.8%	14.8%
Median Household Income	\$35,561	\$53,482	\$53,482
Medium Home Value	\$69,200	\$175,700	\$175,700

\*Source: Department of Labor & Economic Growth, United States Census Bureau

Bay City witnessed tremendous growth in new housing around the turn of the century. Approximately fifty percent (50.2%) of all homes in the community were constructed by 1939. By 1959, roughly eighty percent (80.9%) of all homes in the community were constructed. The number of homes built since that time has dramatically decreased construction of 7.7%



of homes in Bay City being built from 1960 - 1969, 6.2% from 1970 - 1979, 3.1% from 1980 - 1989, and 2.1% from 1990 - 1999. From 2000 through 2015, the number of new homes built in Bay City is statistically negligible with nearly all of the new houses being low income housing units built by Habitat for Humanity and the Bay Area Housing Development Authority. Foreclosures, on the other hand, are an important fact of life in the community. The number of foreclosures rose dramatically from 2010 to 2014. Currently one in every 1,145 homes is a foreclosure.

Until just a few years ago, a drive by shooting was reported, an unfortunate news story from a larger city. The reality is that Bay City has now begun to experience these incidents, which is very unsettling for a small City such as ours. According to the most recent data from the Bay City Department of Public Safety (2014), Bay City had one murder/non-negligent manslaughter (up 100%), 303 incidents of property damage (up 6%), and a 10% total increase in crime.

## 2. Project Description and Feasibility of Success

### a. **Project Description**

#### i. Describe the conditions of the existing property and the proposed or projected redevelopment including the potential site reuse.

The site was developed in the late 1890s as a lumber yard and sawmill. From the early 1900s to the 1930s, the property was utilized for railroad operations, warehousing, and by boat slips. The property then operated as a scrap yard from the late 1930s until the mid-1980s. The property was obtained by the City of Bay City in the 1984 through condemnation. At that time, a portion of the property was designated as a right of way for the construction of a vehicle bridge that is known as the Liberty Bridge. Remaining portions of the property have been undeveloped since the 1980s. Currently the property consists of the Liberty Bridge right of way and the undeveloped grasslands.



The property in its current condition poses health, safety, and environmental threats to the community, as trespassing continues to be a very serious concern. It is our objective to remove the barriers to redevelopment at this site through cleanup. Within the next three years, we plan to work with a developer to reinvent the property with several multi-use commercial and residential structures across the riverfront property. Although, the future plans are not finalized the redevelopment may consist of restaurants, shopping, and residential apartments and/or condominiums. Once the barriers



are removed, redevelopment of this site will support existing and other planned mixed use developments within the community.

The former Surath Scrap Yard is an ideal location for redevelopment as it adjoins the Saginaw River and is located near the historic Midland Street business district, close to parks, shopping, and community recreation areas. The former Surath scrap yard is located on prime riverfront property with deep port access to the Great Lakes and beyond. To be able to put this potentially valuable property back onto the tax rolls, we need to evaluate the environmental concerns previously identified at the site in order to properly remediate and prepare the site for future redevelopment.

Previous activities to investigate the site included:

- April 1998, Summary of Environmental Conditions, prepared by Wilcox Professional Services.
- August 1998, Report of Soil Sampling Investigation, prepared by SEG Engineers & Consultants, Inc.
- February 19, 2010, Phase I Environmental Site Assessment, prepared by AKT Peerless Environmental Services.

Environmental investigations have been conducted at the site in which soil and groundwater contamination, specifically, VOCs, PNAs, metals and PCBs have been identified at concentrations at or exceeding MDEQ Part 213 Risk-Based Screening Levels (RBSLs).

The proposed cleanup project to be funded under this cleanup grant includes the assessment and remediation activities of the property to order prepare the site for redevelopment.

ii. Describe the proposed cleanup plan

We intend to utilize capping to reduce exposure to contamination and to minimize exposure to human health, environment, and the surrounding area. To accomplish these goals, we will implement the following plan for cleanup performed under the state's voluntary cleanup program:

1. Conduct further site assessment activities to evaluate the current condition and extent of the existing contamination at the property.
2. Prepare a site specific community relations plan (CRP)
3. Prepare an Analysis of Brownfield Cleanup Alternatives (ABCA)
4. Provide Public Notice and Comment Period
5. Document final record of decision and create a repository of information.
6. Implement proposed cleanup plan

We would complete the capping activities to mitigate potential exposures and comply with due care obligations. The goal of the remediation activities would be to covered of all impacted soil, which exceeds the human health exposure pathways.

Time to complete this option is approximate 12 months. The cost to complete the soil removal alternative is estimated at \$250,000 - \$300,000. The excavation is recommended as it is compatible with regulatory requirements, the goals of reducing the environmental threats to human health and the environment, as well as future redevelopment of the site.

The City of Bay City shall ensure that the successful completion of the on-site activities are properly documented. This must be done through a final report or letter from a qualified environmental professional or other documentation provided by the state that shows the cleanup is complete. This documentation will be included as part of the administrative record.



The City of Bay City shall ensure the adequacy of the cleanup in protecting human health and the environment as it is implemented under Federal and State environmental cleanup laws. Regarding occupational safety and health, the brownfields cleanups will comply with either all applicable General Industry standards (29 CFR Part 1910) or all applicable Construction standards (29 CFR Part 1926), depending on work operations at the site. In addition, work will comply with the Hazardous Waste Operations and Emergency Response (HAZWOPER) standard 29 CFR. §1910.120. In the event of an incomplete cleanup, the recipient shall ensure that the site is secure and notify the MDEQ and EPA to ensure an orderly transition should additional activities be necessary.

**b. Budget for EPA Funding and Leveraging Other Resources**

i. Budget Table

Proposed Project Budget				
Project Tasks				
Budget Categories (programmatic costs only)	TASK 1	TASK 2	TASK 3	Total
Personnel			\$1,000	\$1,000
Fringe Benefits				
Travel				
Equipment			\$1,500	\$1,500
Supplies				
Contractual	\$4,000	\$142,000	\$1,500	\$147,500
Other				
Total	\$4,000	\$142,000	\$4,000	\$150,000
<b>Cost Share<sup>4</sup></b>	(20 percent of total Cleanup Award) \$30,000			\$180,000

Task 1) Expected Output: Additional site investigation and Due Care Compliance Plan will be completed in accordance with Section 7a under Michigan's Part 201 Environmental Statute. The plan will be developed following the developer's completion of the final site plan for reuse. It is estimated site investigation activities and a Due Care Plan will cost approximately \$4,000 and those two separate plans may be necessary for the future developments of the site.

Expected Outcome: full compliance with MDEQ and EPA procedure

Task 2) Expected Output: Due Care Activities will include mitigating the environmental risks to human health and the environment to the MDEQ criteria. Part 201 of Michigan's Environmental Statute requires the evaluation of exposure pathways based on the future use of the property. Mitigation of health risks will include addressing the exposure pathways of; direct contact, soil volatilization to indoor air, groundwater contact, and soil volatilization to ambient air.

Expected Outcome: a usable clean site prepared for reuse and shovel-ready for redevelopment

Task 3) Expected Output: Community Involvement & Public Outreach presentations will be conducted seeking input from the community during the redevelopment of this site. At least two sessions will be necessary to communicate the objectives of this redevelopment/cleanup. A community relations plan, including public notice, comment periods, and final record of decision will be completed under this task. Activities for this task will also include preparation of meeting materials (brochures and other items), set up and provision of notice of meetings; present and explain the grant and brownfield program to cooperative partners, neighborhood representatives and other affected parties; attend meetings, such as City Commission, BRA, EDC, neighborhood meetings, etc., where brownfield grant and cleanup are discussed; dedicated page on the City of Bay City website for updates on cleanup activities; news articles by City of Bay City staff.



Expected Outcome: a supportive, well-informed community that is seeing its needs met as they have participated in the process.

ii. Plan for Tracking and Measuring Progress towards expected outcomes and outputs

We anticipate the following project outputs:

- Development of the cooperative agreement work plan and schedule
- Solicit consultant/engineer qualifications and fees for grant management and support
- Development of work plan for additional subsurface activities
- Development of a Community Relations Plan
- Finalize the Analysis of Brownfield Cleanup Alternatives
- Preparation of draft and final Action Memorandums and equivalency document
- Complete cleanup contractor bid specifications and solicit bids
- Document cleanup actions completed

Other measurable outputs will include: (a) at least 2 community outreach events to engage the community in visioning and planning, (b) quarterly (at least 12) technical and strategic planning sessions with the project team, and (c) evaluation of a Brownfield Plan to facilitate redevelopment and reuse as an Incentives Strategy to secure and leverage additional financial resources to complete remaining cleanup activities.

We will report progress toward the attainment of expected project outputs and outcomes during the project performance period. Our system of tracking and measuring progress will be based on three elements. First, progress will be measured against the outputs identified in the work plan developed under the cooperative agreement. This will be the key document in identifying outputs and the timing of those outputs. This progress will then be included in quarterly reports submitted to EPA. Second, the goals and objectives of the cleanup plan will serve to provide key milestones throughout the cleanup process. Thirdly, we will be tracking progress based on EPA's Property Profile Form and the ACRES on-line tracking system. This will include: (a) basic site information, (b) site previous and present uses, (c) summary results of environmental assessments, (d) information on cleanup action, (e) cleanup funding information, (f) redevelopment funding information, and (g) ownership information.

The City of Bay City anticipates that the \$150,000 Brownfield Cleanup grant will accomplish the following project outcomes in the short term (12 months to 36 months) under this grant:

- Complete additional subsurface investigation activities, complete a CRP, finalize the draft ABCA, and select a final remedy
- Remove hazardous substances from the property
- Secure and leverage additional financial resources from other sources
- Track jobs and other financial resources leveraged
- Track the amount of hazardous substances removed and acres of land made ready for redevelopment
- Identify the reduction of potential exposure to petroleum/hazardous substances

Bay City anticipates the following moderate to long term (36 to 60 months) project outcomes after the grant is complete:

- Approval of a Master Redevelopment plan
- Implementation of other Institutional Controls, as necessary
- Implementation of any necessary land use changes for redevelopment
- Facilitation of a mixed commercial use redevelopment which will benefit the entire regional community
- Track the number of temporary/permanent jobs supported by the project

iii. Leveraging



We have committed additional funding to the redevelopment of the former Surath scrap yard site. The funding sources include general fund dollars, State of Michigan grant funds, local tax increment finance dollars and in-kind services. We have resources to complete additional work once assessment activities are complete.

In addition, we have the following additional resources to facilitate our goals:

- a. Bay City Brownfield Redevelopment Authority is focused on brownfield redevelopment, as they are well aware of the obstacles they must overcome. A member of the City staff also serves as a Project Manager to the Brownfield Redevelopment Authority.
- b. The Bay City Downtown Development Authority has developed a Strategic Plan, listing the redevelopment of the City's brownfields as a top priority.
- c. Leading commercial lenders in this area fully support brownfield redevelopment and are committed to financing commercial real estate in brownfield areas.
- d. The MDEQ has done an excellent job in the past of identifying various concerns associated with properties and will be used for future technical assistance in all of the City's environmental concerns. The MDEQ has clearly shown their commitment to brownfield redevelopment within the City to date.
- e. Michigan State University, Department of Resource Development, Program for Sustainable Land Use, is willing and able to assist public sector officials in making decisions regarding brownfield redevelopment.

Our BRA has committed to utilizing tax increment financing to fund eligible environmental cleanup costs. This mechanism has worked well for us in the past and we will continue its use in the future. The establishment of the brownfield authority in 1998 has shown the commitment of each City Commissioner for over 10 years now. In addition, the time commitment of other paid city staff involved as members of the authority shows the citywide support of various stakeholders. There are also private sector members on our authority that have donated countless hours to the brownfield process over the past five (5) years. The City of Bay City, supported by the City Commissioners, has committed whatever time and materials are required to successfully manage the administration of this assessment grant.

### **c. Programmatic Capability and Past Performance**

#### **i. Programmatic Capability**

We have many years of experience in the management of federal grants and in contracting with environmental consulting firms to complete the site assessment due care planning and cleanup work detailed in this application. In addition, the City has successfully completed a \$200,000 Site Assessment Grant awarded through a cooperative agreement. In 2000, Bay City was awarded a hazardous substance assessment grant. The grant was fully utilized and closed out in full compliance with all work plan, scheduling, quality and financial reports. There were no difficulties in any of the reporting requirements.

We achieved significant results assessing over fifteen separate sites after completing a detailed brownfield inventory. Utilization of the funds led to the redevelopment of eight sites, which resulted in new job creation and much needed increased tax revenues. Over all, we viewed the success of the assessment funding to be one of the most significant tools in our ability to enhance our economic development goals.

In 2012, the EPA selected Bay City for a brownfields multi-purpose pilot grant. The hazardous substance grant funds were used to assess and cleanup a site identified as "Uptown at River Edge" and the surrounding area.

The City's Economic Development Project Manager, Sara Dimitroff, will manage the administration and implementation of the grant with additional support from the City's staff. Sara understands the cooperative agreement process, financial and quality reporting requirements and he has established good working relationships with key USEPA Region V brownfield staff. Sara will also assign an experienced staff accountant to this grant program to assist in the completion of all of all financial reports and in all requests for reimbursements from the EPA. Other staff members, consisting of the Planning Division Manager, will provide additional support to ensure that the funds are used in a way that is consistent with community goals. All of the above staff members report to the City Manager for Development Service, who has much





experience in federal grant management and who will also be instrumental in leveraging additional resources from other existing programs to support all of the redevelopment activities detailed in this application.

The City also routinely manages federal grants such as the Community Development Block Grant Program, Department of Justice/Law Enforcement Grants as well as programs through the Department of Transportation. There are currently no negative findings from the OMB A-133 Audit and the City of Bay City has never been required to comply with special "high risk" terms or conditions under OMB Circular A-102. We have never received any adverse audit findings related to our EPA grant. There were no difficulties with the quarterly reporting or with the annual financial reporting requirements.

We will track the tasks as outlined on the budget as well as the development results of the cleanup at our monthly Brownfield Redevelopment Authority meetings. We will also *track the number of jobs created, investment, and increased tax value* as a result of redevelopment. We understand that this grant will not only result in cleaned up sites, but begin to generate economic momentum in our depressed economy.

ii. Adverse Audits

The City of Bay City has managed other State and Federal grants, has had no adverse audit findings, and has complied with all the regulations pertaining to the management and procurement requirements. The City of Bay City's financial records are audited annually with no adverse findings. Further, the City of Bay City is not required to comply with special "High Risk" terms and conditions.

iii. Past Performance

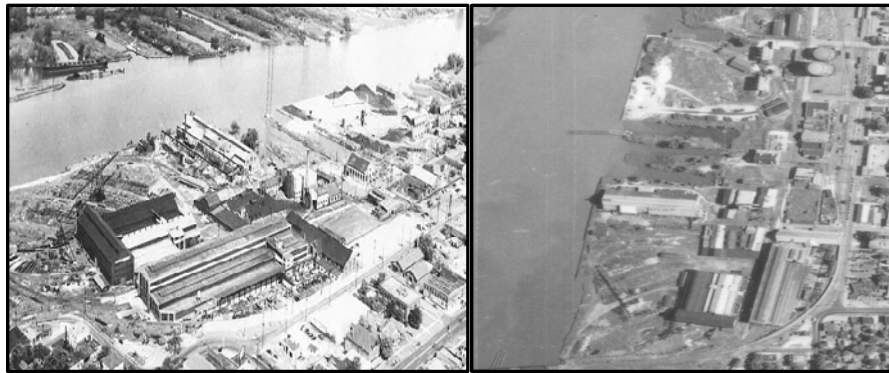
1. Currently or Has Ever Received an EPA Brownfields Grant

a. **Compliance with grant requirements**

Bay City has successfully received and implemented four distinct US EPA cooperative agreements: (1) A \$200,000 Brownfield Assessment Pilot Grant awarded in 2002, (2) a \$400,000 assessment grant (\$200,000 Hazardous and \$200,000 Petroleum) awarded in 2009, (3) a \$1,000,000 Site Specific Revolving Loan Fund Capitalization Grant for the Uptown Bay City site awarded in 2010, and (4) a \$400,000 Brownfield Multi-Purpose Pilot Grant in 2012.

b. **Accomplishments**

The Uptown Bay City redevelopment project optimizes brownfield reuse and the associated outcomes of job creation, increasing community tax revenue, revitalizing existing businesses and infrastructure, increasing redevelopment and expansion of existing businesses within our community. This project success was a direct result of the availability of assessment and cleanup funds. Without the ability to quantify the environmental risks and cleanup alternatives, the developers and end users would have not proceeded. Several of the anchor tenants had established greenfield sites selected, in the event they has any doubts in the suitability of the Uptown site. The 2002, 2009 and 2010 assessment funds were used to complete development specific investigations that resulted in finalized occupancy agreement with major corporate tenants, obtaining permits from the MDEQ and Army Corp of Engineers, implementation of cleanup activities throughout development, and securing construction financing. This project will result in public investment near \$150,000,000 and creating several hundred permanent jobs. The US EPA grant funds expended on this project were invaluable to our ability to completing this project. This mixed residential and commercial project incorporated green redevelopment practices that included integration of public amenities for the community. The following pictures depict the success of the redevelopment at the Uptown Site.



# 1. Community Engagement and Partnerships

## **a. Discuss your plan for involving the affected community**

The Bay City Community Development Department is organized to be the lead agency responsible for stakeholder involvement, to facilitate their participation and for the implementation of all programming, project management, and public information. The Planning Division is responsible for administering the City's Land Use Plan and for enforcing the City's Zoning Ordinance. The Economic Development Division is responsible for all business attraction and expansion programs, including the administration of the Brownfield Redevelopment Authority, the coordination of financial assistance procurement and the job training programs. The Housing Rehabilitation Division is responsible for administering the Community Development Block Grant (CDBG) program, the City's housing rehabilitation program and other neighborhood improvement programs.



The City of Bay City is organized into five distinct neighborhood districts that are comprised of residential areas, commercial districts, and industrial centers. These five districts are organized from the Community Development Department. There are 20 members on each CDC that are elected by the residents of the neighborhood in which they live or own a business. These Citizen District Councils are chartered to advise City government with respect to programs for orderly growth, new development, and redevelopment of within each district. The CDC's also promote better relations between local government and residents and they encourage active citizen participation in community development activities. The five CDC's include Northwest CDC, Northeast CDC, Midland Street CDC, Columbus Avenue CDC and Southend CDC.

Each CDC has a variety of community development goals and specific projects, which are established, based on visioning sessions and planning activities within each CDC District that are prioritized and submitted to the City through the Bay City Coordinating Council on Community Development. The Coordinating Council is made up of twenty citizens representing the neighborhoods comprising the City's five Citizens District Council areas. The Coordinating Council is the body that reviews all funding applications, listens to presentations, and presents a tentative budget CDBG budget to the City Commission for final consideration.

The members of all of the Citizen District Council's take great pride in their neighborhoods. The members are also eager to participate in the redevelopment planning phase to incorporate public open space into the future land use plans.

The community as a whole has embraced the concept of redeveloping these riverfront brownfield sites for new mixed-commercial use projects and for the efforts by another community organization such as the Bay Area Community Foundation's Riverwalk-Railtrail Committee which has been an extremely valuable partner by completed a 9.5 mile trail loop within the City. The Riverwalk Committee has worked closely with the City, the CDC's and the Coordinating Council to spearhead fundraising and the development of this trail system which now totals 17.5 miles and extends to the Bay City State Park Recreation Area. The projects in the City have been funded through a number of different sources including the City's Community Development Block Grant program, Transportation Enhancement funds, Michigan Natural Resources Trust Funds and from private donations through the Bay Area Community Foundation.

**b. Describe your efforts and/or plans to develop partnerships**

For many years now, we have had a *close working relationship with the staff of the Michigan Department of Environmental Quality* and, in fact, Bay City has recently *sold a twelve acre brownfield site* to a developer at very favorable terms for the construction of *the new regional headquarters for the MDEQ*. This was not always the case some twenty years ago as the attitudes and practices of Publics Works Directors, as with private industry, have changed dramatically when dealing with issues such as solid waste disposal, the storage of road salt or the conversion from standard diesel fuel to bio-blend (B-20) diesel. Today the MDEQ is located downtown on a brownfield site in the state's first platinum certified LEED building, which we help implement a brownfield plan for.

In the last few years it has become commonplace for the Community Development Department staff to meet with the brownfield staff of the MDEQ to discuss future projects, to review data and to discuss ways to economically mitigate impacted sites. The redevelopment staff of the MDEQ is very aware of the high priority that has been placed on the redevelopment of the brownfield sites situated along the Saginaw River.

Additionally, the Bay City Health Department will continue its role in facilitating our collective goals to a sustainable healthy community. Our Health Department is actively involved on many fronts ranging from organizing a residential hazardous waste collection program, monitoring our waterways for combined sewer overflows and assisting the City with lead remediation programs to ensure that our target properties and that our community health risks are identified and properly managed.



**c. Provide a description of, and role of, the key community-based organizations**

The City of Bay City's involvement of in both public and private reuse planning and implementation is a recurring topic on the meeting agenda of various public meetings held by the organizations discussed below. We follow a proactive and transparent outreach strategy, which is integral for the success of our projects. Our staff is committed to our obligations to our community members to represent the common goals and growth objectives. We will continue regular outreach meetings on a monthly basis with the community based organizations to aid in educating the public to help lift up this community.

The Community Development Department, consisting of Planning, Housing Rehabilitation and Economic Development is organized to work with all stakeholder groups and other nonprofit community-based organizations to plan and implement the City's Brownfield Redevelopment efforts. City Staff from these departments are assigned as the liaison to these groups and routinely attend their monthly meetings to obtain input and to disseminate information to the members.

Citizen District Councils (CDC's) - These organizations are very active within each of the five main districts within Bay City. The members of the CDC's focus on grass root issues such as area crime, neighborhood blight and the overall conditions within their district. CDC's are also advocates for orderly redevelopment within each respective neighborhood with redevelopment priorities being established based on visioning sessions periodically being conducted by City Staff liaisons.

Coordinating Council - The recommendations from each CDC are forwarded to the Bay City Coordinating Council for review and, if applicable, for funding requests for a portion of the City's annual Community Development Block Grant entitlement. The Coordinating Council also serves as the City's Tax Increment Finance Authority which prepares, adopts and recommends all public improvement priorities throughout the community to the City Commission for final consideration.

Bay Area Community Foundation - The City also has a long-standing relationship with this community-based organization, which first became our partner in 1982 by fundraising for the initial riverwalk pathway along the Saginaw River in Veterans Memorial Park. The first phase was constructed in 1986 with the Riverwalk Pier soon to follow in 1989. The Riverwalk-Railtrail Committee has now expanded the pedestrian pathway system some 17.5 miles throughout the community and we are planning several more expansions particularly on most of the 14 brownfield sites along the riverfront.

Economic Development Corporation (EDC) - This organization was created in the late 1970's by the Bay City Commission to strengthen and revitalize the state and local economy by undertaking various projects that stimulate the local economy. The EDC may acquire land, build buildings, maintain, or repair land, building, or machinery by an industrial or commercial enterprise. In order to finance these projects, the EDC may borrow money or issue revenue bonds, which are repaid through the sale or lease of the improved asset. In 1999, the City Commission approved a resolution and ordinance creating the Brownfield Redevelopment Authority utilizing the same membership as the EDC.

Bay City Brownfield Redevelopment Authority (BRA) - Created in 1998 by the Bay City Commission to facilitate the redevelopment of eligible properties, to foster development in areas that are already served by utilities, and to prevent urban sprawl. To date, the Brownfield Redevelopment Authority has facilitated the redevelopment of 14 brownfield sites for projects throughout Bay City. Under Michigan law, the Brownfield Redevelopment Authority can reimburse a developer for eligible brownfield expenses through the capture of any incremental increase in property taxes generated by the redevelopment project. In Michigan, developers of brownfield sites can also take advantage of reductions in business tax liabilities of up to 20% of the total investment on a brownfield site. The members of the EDC and the Brownfield Redevelopment Authority are eager to assist the City in any way possible to finance the redevelopment of all of the brownfield sites within the City.



## 2. Project Benefits

### a. **Welfare and/or Public Health**

#### i. Health and/or Welfare Benefits

Cleanup of our historical contaminants is essential to the basis of our community vision. As a Great Lakes Port City, our economy is directly connected to the improvement and conservation of our natural resources. As our economy continues to transition from our heavy industrial historical heritage, our ability to create a desirable place to live, work, visit and support an outdoor recreation lifestyle, the assessment and subsequent cleanup of our brownfields is fundamental. As previously discussed, a clear example of the need to improve our environmental quality of our community is exhibited by our recent need to relocate our drinking water supply intake from near our shoreline in Bay City to a point approximately 30 miles offshore in Lake Huron. This relocation was necessary to improve the drinking water quality provided to our residents. We have expended all of our available resources to reduce risks represented by our brownfields by stabilizing and restricting access where possible. However, having a funding mechanism to further assess and guide cleanup and reuse planning is the only way to ensure we permanently mitigate risks represented by our brownfields. With the successes of our recent brownfield reuse projects we have proven the positive effects on the environment the effectiveness of development specific cleanup efforts have had within our community. The ability to evaluate risk and establish the appropriate cleanup measures is the first and often most critical planning component at our brownfields. The upfront costs to assess and quantify the current environmental condition of the former Surath scrap yard have stifled many recent reuse opportunities.

#### ii. Environmental Benefits

Bay City has become a world-class outdoor recreational hub. We enjoy some of the finest boating and fishing opportunities in the Great Lakes. This would in no way be possible were it not for recent efforts in Bay City and surrounding communities to improve our water quality through mitigating contaminant loading. The improving aesthetics and waterfront development opportunities that this community has available are what gives us our sense of mission. The water quality of the Great Lakes has far more impact that just within our community. As the gatekeepers of the headwaters of the Saginaw River and southwestern Lake Huron reduction in the availability of contaminants to affect our water quality is essential.

### b. **Economic Benefits from Infrastructure Reuse/Sustainable Reuse**

Bay City has implemented a vision of a well-planned mixed residential and commercial development, accentuated by key public park amenities and greenspace. The goal of having a diverse amount of residential and retail consumer goods available centrally is fundamental to supporting a renewed vitality of our city.

As a primarily working class community formed on the dedicated work ethic of our forefathers laboring in the lumber industry, automotive industry, shipping industry, or other ancillary manufacturing sector we are dedicated to the principles and practices of equitable development, environmental justice, affordability, and availability in our community. Our vision is to improve economic, recreational, and health opportunities for all population sectors of our community.

The most meaningful and tangible approach for us to facilitate these practices and principles is through successful elimination of our brownfields. The improved economic prosperity and opportunity for our community's residents and eliminating the environmental hazards of our brownfield sites will further support our community transition and vision focused on our recreational opportunities uniquely available to an urban Great Lakes port community. The opportunity for centralized employment, living, recreation, and availability to necessary goods and services is the outcome of our vision.

We have seen a glimpse of the positive effects can have on renewing and engaging a culture that exudes pride and dedication to the community. With our established success of maximizing the effects and outcomes of USEPA brownfield funding, we fully vested and committed to the efforts that will result in viable, sustainable and equitable brownfield reuse and redevelopment.



The former Surath scrap yard has the potential to greatly enhance the much needed business and job base, as well as quality of life. Our immediate goal is to remove the environmental challenges in preparation for a successful redevelopment.



**ATTACHMENT**  
**ELIGIBILITY DETERMINATION**

December 18, 2015

Re: Site Eligibility Determination for US EPA Hazardous Substance Cleanup Grant  
Four Parcels at 1001 Ohio Street and Marina Park Drive  
The Former Surath Scrap Yard (Parcels: 160-021-151-002-00,  
160-021-151-003-00, 160-021-151-004-00, and 160-021-151-005-00)  
Bay City, Michigan

The below information is intended to allow for a determination of eligibility for site assessment and cleanup of the property located at 1001 Ohio Street and Marina Park Drive, Bay City, Michigan. The assessment would be performed under the City of Bay City's 2009 U.S. EPA brownfield assessment grant for hazardous sites. Pursuant to United States (U.S.) Environmental Protection Agency (EPA) FY09 "Guidelines for Brownfield Assessment Grants" Section IIIC.3., the GCLB has provided the following information for eligibility determination.

**Site Eligibility:**

a. **Basic Site Information**

The site is associated with the address 1001 Ohio Street and Marina Park Drive, Bay City, Michigan, and consists of four irregularly shaped parcel of land 1(parcel-60-021-151-002-00, 160-021-151-003-00, 160-021-151-004-00, and 160-021-151-005-000) comprising approximately 25.4-acres. The City of Bay City is the current site owner.

b. **Status and History of Contamination at the Site**

AKT Peerless reviewed the following environmental reports prepared on the City of Bay City's behalf. The following table summarizes the general development and use of the subject property, as identified by AKT Peerless.

Time Period	Improvements	Use	Owner / Occupant	Data Source(s)
1895 – Early 1900s	Boat slips, lumber docks, and "slabs."	Lumber and/or Sawmill	Not determined	Fire Insurance Maps
1910s – early to mid 1930s	Boat slip and railroad spur	Unknown	Not determined	Fire Insurance Maps Aerial photographs
Late 1930s –1950s	Railroad spur, dwelling, roofing warehouse, and two other structures	Commercial	Surath & Sons Scrap Iron (1960s)	Fire Insurance Maps Municipal records Aerial photographs City directories Interviews

Time Period	Improvements	Use	Owner / Occupant	Data Source(s)
				Reconnaissance
1960s – Mid 1980s	Railroad spur, dwelling, roofing warehouse.	Scrap/junk yard	Surath & Sons Scrap Iron	Municipal records Aerial photographs City directories Interviews Reconnaissance
Mid 1970s – late 1980s	Railroad spur, dwelling, roofing warehouse.	Scrap/junk yard	Surath & Sons Scrap Iron	Municipal records Aerial photographs City directories Interviews Reconnaissance
Late 1988 – 2006	One structure and the Liberty Bridge is constructed	None	City of Bay city	Municipal records Aerial photographs City directories Interviews Reconnaissance
2007 – Present	Liberty Bridge; the on site building was demolished	None	City of Bay city	Municipal records Aerial photographs City directories Interviews Reconnaissance

**Report of a Soil Sampling Investigation, August 1988, Surath Property, Bay City, Michigan.** Completed by SEG Engineers & Consultants, Inc.

SEG was contracted by the City of Bay City to conduct soil sampling at the subject property (entire property). Field work at the subject property was completed on May 26, June 2 and 3, 1988. A truck mounted drill rig was utilized to complete 36 soil borings in a grid pattern through-out the subject property. Soil samples were collected from 1 to 3-feet depth intervals. The samples collected were analyzed for PCBs. The soil borings were drilled until groundwater was reached in each boring. Groundwater depths ranged from 3.5 feet to 5-feet bgs. According to SEG, the lithology of the site was predominately silty sandy clays with large amounts of debris including metal pieces, wood debris, tires, etc. A wet grey medium sand was found beneath the clays at 3.5 to 5-feet bgs. The sand appeared to correlate with the level of the Saginaw River.

Based on analytical results, PCBs were found in 10 of the 36 soil samples collected from the subject property. The highest concentrations of PCBs were found near a building that was located on the western portion of the subject property.

SEG suggested that excavation of the PCB contaminated soils was not warranted; SEG recommended an investigation of the source of the PCB contamination.

It is AKT Peerless' opinion that the presence of PCB contamination at the subject property represents a REC.

**Summary of Environmental Conditions, April/March 1998, Surath Property, Bay City, Michigan.** Completed by Wilcox Profession Services (Wilcox)

According to the Wilcox Report the subject property was formerly utilized as a scrap yard from the 1960s until 1984. The scrap yard operations included recycling of batteries, automobiles, machinery, metal scrapping and reclaiming materials for resale.

Wilcox indicated the subject property was considered a *facility* based on arsenic, chromium, lead, mercury, selenium, barium, cadmium, silver, copper, zinc, methylene chloride, tetrachloroethylene, trichloroethelene, naphthalene, phenanthrene, flouranthene, benzo(a)pyrene, dibenzo(a,h)anthracene, benzo(b)flouranthene, benzo(a)anthracene, indeno(1,2,3-cd)pyrene, acenaphthane, flourene, and PCBs contaminants in the soil and groundwater. Wilcox indicated that Residential and Commercial 1 Drinking Water Protection was a groundwater exposure pathway while Drinking Water Protection Criteria, Groundwater Surface Water Contact Protection Criteria, and Direct Contact Criteria were exposure pathways for soil.

On February 23, 1998, 91 soil borings were performed and 232 soil and four groundwater samples were collected. On March 2, 1998, 10 soil borings were performed and five monitoring wells were installed and 15 soil samples were collected. On March 20, 1998 and April 17, 1998 groundwater samples were collected from the monitoring wells. Soil and groundwater samples were analyzed for PCBs, VOCs, semi-volatile organic compounds (SVOCs) and total metals. These soil boring locations were determined in accordance with the Verification for Soil Remediation (VSR) document prepared by the MDNR dated April 1994.

Analytical results identified the subject property as a *facility*. *Based on the presence of* arsenic, chromium, lead, mercury, selenium, barium, cadmium, silver, copper, zinc, methylene chloride, tetrachloroethylene, trichloroethelene, naphthalene, phenanthrene, flouranthene, benzo(a)pyrene, dibenzo(a,h)anthracene, benzo(b)flouranthene, benzo(a)anthracene, indeno(1,2,3-cd)pyrene, acenaphthane, flourene, and PCBs at concentrations exceeding the current Part 201 Generic Cleanup Criteria.

**Phase I Environmental Site Assessment, February 19, 2010, Former Surath Property, Bay City, Michigan.**

The City of Bay City's Consultant, AKT Peerless Environmental Services completed Phase I ESA of the subject property in conformance with the scope and limitations of ASTM Standard Practice E 1527-05 and AAI 40 CFR Part 312. This assessment has revealed no evidence of RECs in connection with the subject property except for the following:

1. The subject property has been utilized as a scrap yard from approximately the 1960s until the mid 1980s. The scrap yard (known as the Surath Scrap Yard) consisted of the recycling of batteries, old automobiles, machinery, metal scrapping, and the reclamation of materials for resale. Potential concerns associated with a scrap yard include the possible introduction of hazardous substances or petroleum products to the subsurface via the stored vehicle's components and the general storage of fluids.
2. Based on a Soil Sampling Investigation completed in August 1988, a BEA completed in May 2004, and an Environmental Condition Investigation completed in 1998, the subject property was listed as a *facility* with arsenic, chromium, lead, mercury, selenium, barium, cadmium, silver, copper, zinc, methylene chloride, tetrachloroethylene, trichloroethelene, naphthalene, phenanthrene, flouranthene, benzo(a)pyrene, dibenzo(a,h)anthracene, benzo(b)flouranthene, benzo(a)anthracene, indeno(1,2,3-cd)pyrene, acenaphthane, flourene, and PCBs contamination.
3. The subject property known as the Surath Scrap Yard, is listed as a SHWS with PCBs as the property contaminant.

4. Boat slips or basins located at the subject from at least 1895 until the 1930s were filled in with sand, muck, river bottom soils, fill, debris, slab material (concrete), and sawdust. The presence of fill material at the subject property represents a REC.
5. A railroad spur was previously located on the subject property. Potential concerns typically associated with railroad spurs includes the use of fill materials as ballast to support the ties and rails of the railroad spurs and leaks or spills of hazardous materials or petroleum products.
6. The subject property was used for the storage of lumber and lumber related manufacturing operations from at least 1885 through the early 1900s. The lumber storage may have included the storage and processing of chemically treated lumber on the subject property. Potential contaminants typically associated with historical lumberyards include arsenic and creosote. The use of the property for lumber storage and manufacturing is a REC. The adjoining property to the south was also utilized by a saw mill with coal storage from at least 1895 until sometime before the 1950s.
7. On December 8, 2005, a LUST incident occurred at the adjoining property to the south located at 963 East Midland Street. The release occurred during a piping upgrade for a 6,000 gallon gasoline UST. The release was a result of the UST piping. No USTs were removed from the site. The release remains "open" indicating further assessment of the release is required.

c. **Sites Ineligible for Funding**

The City of Bay City has determined the site: (a) is not listed or proposed for listing as an NPL site, (b) nor subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA, (c) nor subject to the jurisdiction, custody, or control of the United States Government.

d. **Sites Requiring a Property-Specific Determination**

The City of Bay City (grantee) does not believe a property specific determination is needed.

**Property Ownership Eligibility:**

e. **CERCLA § 107 Liability**

According to Section 107(a) of CERCLA, 42 U.S.C. § 9607(a), the City of Bay City is not a potentially responsible party, under which include: a current owner or operator of a facility, an owner or operator of a facility at the time of disposal or a hazardous substance, a party that arranged for the treatment or disposal of hazardous substances, or a party that accepted hazardous substances for transport to disposal or treatment facilities at the site.

f. **Enforcement Actions**

At this time no known ongoing or anticipated environmental enforcement actions related to the brownfield site for which funding is sought have been identified. The City of Bay City is not aware of any inquiries or orders from federal, state, or local government entities that the applicant is aware of regarding the responsibility of any party for the contamination or hazardous substances at the site.

g. **Information on Liability and Defenses/Protections Where Applicant Owns the Site or Will Own the Site During the Performance of the Grant**

i) **Information of the Property Acquisition**

The City of Bay City currently owns the subject property. At the time of the City's acquisition of the property, site investigations were conducted to evaluate the environmental condition of the property.

The City is working to promote the redevelopment of the subject property. At this time the City of Bay

City does not have any familial, contractual, corporate, or financial relationships or affiliations with the prior operators of the site.

ii) Timing and/or Contribution Toward Hazardous Substance Disposal

The City of Bay City has not caused or contributed to any release of hazardous substances at the site. In addition, the City of Bay City has not, at any time, arranged for the disposal of hazardous substances at the site or transported hazardous substances to the site.

iii) Pre-Purchase Inquiry

As previously presented, several environmental assessments were completed at the site in 1988 to evaluate the environmental condition of the property. The pre-purchase inquiry was conducted in accordance with the standards applicable at the time of acquisition of the property. The City of Bay City has not used the property for any significant or obvious purpose, other than storage of seasonal recreation seating (picnic tables) during winter months.

iv) Post-Acquisition Uses

At this time, the City of Bay City, is working to attract and retain a developer to redevelop the subject property.

v) Continuing Obligations

In the event contaminants are detected at the subject property, the City of Bay City will readily disclose the findings and conclusions of the investigations to any prospective purchasers.



ATTACHMENT  
Quit Claim Deed

**General Property Information****Bay County**[\[Back to Non-Printer Friendly Version\]](#) [\[Send To Printer\]](#)**Parcel:** 160-021-151-003-00 **Unit:** CITY OF BAY CITY**Property Address** [collapse]LIBERTY BRIGE ROW  
BAY CITY, MI 48706**Owner Information** [collapse]CITY OF BAY CITY  
301 WASHINGTON AVE  
BAY CITY, MI 48708-5837**Unit:** 160**Taxpayer Information** [collapse]

SEE OWNER INFORMATION

**General Information for Tax Year 2015** [collapse]

<b>Property Class:</b>	703 - EXEMPT CNTY,CITY,TWP,VIL	<b>Assessed Value:</b>	\$0
<b>School District:</b>	09010 - BAY CITY SCHOOL DISTRICT	<b>Taxable Value:</b>	\$0
<b>State Equalized Value:</b>	\$0	<b>Map #</b>	
<b>AUDIT YEAR</b>	0	<b>Date of Last Name Chg:</b>	06/10/2009
		<b>Date Filed:</b>	02/01/1995
		<b>Notes:</b>	N/A
<b>Historical District:</b>	N/A	<b>Census Block Group:</b>	N/A
<b>Principal Residence Exemption</b>	<b>June 1st</b>	<b>Final</b>	
			-
<b>2015</b>	0.0000 %	0.0000 %	

Previous Year Info	MBOR Assessed	Final S.E.V.	Final Taxable
2014	\$0	\$0	\$0
2013	\$0	\$0	\$0

**Land Information** [collapse]

	<b>Frontage</b>	<b>Depth</b>
<b>Lot 1:</b>	0.00 Ft.	0.00 Ft.
<b>Lot 2:</b>	0.00 Ft.	0.00 Ft.
<b>Lot 3:</b>	0.00 Ft.	0.00 Ft.
<b>Total Frontage:</b>	0.00 Ft.	<b>Average Depth:</b> 0.00 Ft.

**Total Acreage:** 1.79**Zoning Code:****Total Estimated Land Value:** N/A**Land Improvements:** \$0**Renaissance Zone:** NO**Mortgage Code:****Lot Dimensions/Comments:**

**Renaissance Zone Expiration****Date:****ECF Neighborhood Code:****Legal Information for 160-021-151-003-00**[\[collapse\]](#)

COM AT INTER OF C/L WALNUT ST & C/L OF VERMONT ST, LITCHFIELDS ADD TO THE VILL- AGE OF WENONA, TH S 89D20M56S E ALG SD C/L VERMONT ST 67.40 FT, TH N 0D39M04S E AT RT ANG TO SD C/L VERMONT ST 5 FT, TH N 62D54M04S E ALG C/L LIBERTY BRIDGE 937.67 FT TO POB, TH N 7D05M56S W 53.21 FT, TH N 62D54M04S E 448.70 FT TO POINT OF CURVATURE OF 1,004.93 FT RADIUS CURVE TO RT, TH E'LY 299.37 FT ALG ARC OF SD CURVE, CHORD BEARING & DISTANCE OF N 71D26M07S E & 298.27 FT, TH S 10D01M49S E 100 FT, TH W'LY 269.58 FT ALG ARC OF 904.93 FT RADIUS CURVE TO LT HAVING CHORD BEARING & DISTANCE OF S 71D26M07S W & 268.59 FT, TH S 62D54M04S W 485.10 W & 268.59 FT, TH S 62D54M04S W 485.10 (NEW FOR 1991 A/K/A LIBERTY BRIDGE ROW)

**Sales Information****0 sale record(s) found.**

Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms Of Sale	Liber/Page
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**General Property Information****Bay County**[\[Back to Non-Printer Friendly Version\]](#) [\[Send To Printer\]](#)**Parcel:** 160-021-151-002-00 **Unit:** CITY OF BAY CITY

<b>Property Address</b>	<a href="#">[collapse]</a>
1001 E OHIO ST BAY CITY, MI 48706	

<b>Owner Information</b>	<a href="#">[collapse]</a>
CITY OF BAY CITY 301 WASHINGTON AVE BAY CITY, MI 48708-5837	
<b>Unit:</b>	160

<b>Taxpayer Information</b>	<a href="#">[collapse]</a>
SEE OWNER INFORMATION	

<b>General Information for Tax Year 2015</b>				<a href="#">[collapse]</a>
<b>Property Class:</b>	703 - EXEMPT CNTY,CITY,TWP,VIL	<b>Assessed Value:</b>	\$0	
<b>School District:</b>	09010 - BAY CITY SCHOOL DISTRICT	<b>Taxable Value:</b>	\$0	
<b>State Equalized Value:</b>	\$0	<b>Map #</b>		
<b>AUDIT YEAR</b>	0	<b>Date of Last Name Chg:</b>	02/18/2001	
		<b>Date Filed:</b>	02/01/1995	
		<b>Notes:</b>	N/A	
<b>Historical District:</b>	N/A	<b>Census Block Group:</b>	N/A	
<b>Principal Residence Exemption</b>	<b>June 1st</b>	<b>Final</b>		
<b>2015</b>	0.0000 %	0.0000 %		
<b>Previous Year Info</b>	<b>MBOR Assessed</b>	<b>Final S.E.V.</b>	<b>Final Taxable</b>	
<b>2014</b>	\$0	\$0	\$0	
<b>2013</b>	\$0	\$0	\$0	

<b>Land Information</b>				<a href="#">[collapse]</a>
	<b>Frontage</b>		<b>Depth</b>	
<b>Lot 1:</b>	0.00 Ft.		0.00 Ft.	
<b>Lot 2:</b>	0.00 Ft.		0.00 Ft.	
<b>Lot 3:</b>	0.00 Ft.		0.00 Ft.	
<b>Total Frontage:</b>	0.00 Ft.	<b>Average Depth:</b>	0.00 Ft.	
<b>Total Acreage:</b>	5.50			
<b>Zoning Code:</b>				
<b>Total Estimated Land Value:</b>	N/A	<b>Mortgage Code:</b>		
<b>Land Improvements:</b>	\$0	<b>Lot Dimensions/Comments:</b>		
<b>Renaissance Zone:</b>	NO			

**Renaissance Zone Expiration****Date:****ECF Neighborhood Code:****Legal Information for 160-021-151-002-00**

[collapse]

THAT PT OF THE E 1/2 OF NE 1/4 OF SEC 20 T14N R5E VIZ: COM AT NW COR OF BLK 1 MAP OF LAKE CITY TH S 89D50M01S E 486.81 FT ALG THE SLY LI OF MIDLAND ST & MIDLAND ST EXT TH THE FOLLOWING 6 COURSES ALG THE GRAND TRUNK WESTERN RR CO'S E ROW N 31D40M41S E 46.84 FT TH NLY 18.30 FT ALG A CUR TO LT SD CUR HAVING A RADIUS OF 1298.57 FT & CHORD BEAR & DIST OF N 31D16M26S E 18.30 FT TH NLY 122.18 FT ALG A CUR TO LT SD CUR HAVING A RADIUS OF 1298.57 FT & CHORD BEAR & DIST OF N 28D10M28S E 122.14 FT TH NLY 255.04 FT ALG A CUR TO LT SD CUR HAVING A RADIUS OF 1298.57 FT & CHORD BEAR & DIST OF N 19D51M09S E 254.63 FT TH N 14D13M34S E 262.30 FT TH NLY 154.46 FT ALG A CUR TO RT SD CUR HAVING A RADIUS OF 1248.57 FT & CHORD BEAR & DIST OF N 17D46M12S E 154.36 FT TO POB TH NLY 239.79 FT ALG CUR TO RT SD CUR HAVING A RADIUS OF 1248.57 FT & CHORD BEAR & DIST OF N 26D48M57S E 239.42 FT TH N 57D40M56S W 3.58 FT TH N 32D27M22S E 122.15 FT TH NELY 588.58 FT ALG CUR TO RT SD CUR HAVING A RADIUS OF 781.08 FT & CHORD BEAR & DIST OF N 54D02M37S E 574.75 FT TO INTER OF SD RR ROW & SLY LI OF SOUTH STATE ST (FORMERLY SOUTH STREET) EXT SELY TH S 54D54M54S E 321.71 FT ALG SD EXT SLY LI TO A TRAVERSE POINT ON THE NWLY BANK OF THE SAGINAW RIVER TH ON A TRAVERSE LI ALG SD RIVER BANK S 22D01M15S W 141.68 FT TO NWLY ROW LI OF LIBERTY BRIDGE ROW TH SWLY 394.75 FT ALG NWLY LIBERTY BRIDGE ROW & CUR TO LT SD CUR HAVING A RADIUS OF 1029.93 FT & CHORD BEAR & DIST OF S 73D47M09S W 392.33 FT TH S 62D48M21S W 407.90 FT TH S 67D34M11S W 115.08 FT TO POB CONT 5.50 ACRES M/L. (SPLIT OFF -004 & -005 FOR '07)

**Sales Information****0 sale record(s) found.**

Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms Of Sale	Liber/Page
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**General Property Information****Bay County****Parcel:** 160-021-151-005-00 **Unit:** CITY OF BAY CITY[\[Back to Non-Printer Friendly Version\]](#) [\[Send To Printer\]](#)**Property Address**[\[collapse\]](#)MARINA PARK DR  
BAY CITY, MI 48706**Owner Information**[\[collapse\]](#)CITY OF BAY CITY  
301 WASHINGTON AVE  
BAY CITY, MI 48708-5837**Unit:** 160**Taxpayer Information**[\[collapse\]](#)

SEE OWNER INFORMATION

**General Information for Tax Year 2015**[\[collapse\]](#)

<b>Property Class:</b>	703 - EXEMPT CNTY,CITY,TWP,VIL	<b>Assessed Value:</b>	\$0
<b>School District:</b>	09010 - BAY CITY SCHOOL DISTRICT	<b>Taxable Value:</b>	\$0
<b>State Equalized Value:</b>	\$0	<b>Map #</b>	
<b>AUDIT YEAR</b>	0	<b>Date of Last Name Chg:</b>	02/26/2008
		<b>Date Filed:</b>	
<b>Historical District:</b>	N/A	<b>Notes:</b>	N/A
		<b>Census Block Group:</b>	N/A
<b>Principal Residence Exemption</b>	<b>June 1st</b>	<b>Final</b>	
			-
<b>2015</b>	0.0000 %		0.0000 %

Previous Year Info	MBOR Assessed	Final S.E.V.	Final Taxable
2014	\$0	\$0	\$0
2013	\$0	\$0	\$0

**Land Information**[\[collapse\]](#)

	<b>Frontage</b>	<b>Depth</b>
<b>Lot 1:</b>	0.00 Ft.	0.00 Ft.
<b>Lot 2:</b>	0.00 Ft.	0.00 Ft.
<b>Lot 3:</b>	0.00 Ft.	0.00 Ft.
<b>Total Frontage:</b>	0.00 Ft.	<b>Average Depth:</b> 0.00 Ft.

**Total Acreage:** 2.61**Zoning Code:****Total Estimated Land Value:** N/A**Land Improvements:** \$0**Renaissance Zone:** NO**Mortgage Code:****Lot Dimensions/Comments:**



**Renaissance Zone Expiration****Date:****ECF Neighborhood Code:****Legal Information for 160-021-151-005-00**

[collapse]

THAT PART OF E 1/2 OF NE 1/4 OF SEC 20 T14N R5E VIZ: COM AT NW COR BLK 1 MAP OF LAKE CITY TH S 89D50M01S E 486.81 FT ALG SLY LI OF MIDLAND ST & MIDLAND ST EXT TH FOLLOWING 5 COURSES ALG GRAND TRUNK WESTERN RR CO'S E ROW N 31D40M41S E 46.84 FT TH NLY 18.30 FT ALG A CUR TO LT SD CUR HAVING A RADIUS OF 1298.57 FT & CHORD BEAR & DIST OF N 31D16M26S E 18.30 FT TH NLY 122.18 FT ALG A CUR TO LT SD CUR HAVING A RADIUS OF 1298.57 FT & CHORD BEAR & DIST OF N 28D10M28S E 122.14 FT TH NLY 255.04 FT ALG CUR TO LT SD CUR HAVING A RADIUS OF 1298.57 FT & CHORD BEAR & DIST OF N 19D51M09S E 254.63 FT TH N 14D13M34S E 52.95 FT TH NLY 97.44 FT ALG CUR TO RT SD CUR HAVING A RADIUS OF 225 FT CHORD BEAR & DIST OF N 40D38M53S E 96.69 FT TH N 53D03M15S E 7.86 FT TH NLY 129.66 FT ALG CUR TO LT SD CUR HAVING A RADIUS OF 175 FT & CHORD BEAR & DIST OF N 31D49M46S E 126.71 FT TH N 59D55M42S E 61.22 FT TH CONT N 59D55M42S E 11.24 FT TH N 62D36M10S E 491.35 FT TH NELY 235.70 FT ALG CUR TO RT SD CUR HAVING A RADIUS OF 879.93 FT CHORD BEAR & DIST OF N 70D22M52S E 235 FT TO A POINT ON A TRAVERSE LI ON WLY BANK OF SAGINAW RIVER TH S 40D28M49S W 115.04 FT TH S 13D37M29S W 275.78 FT TH S 35D45M01S W 135.87 FT TO THE POB TH CONT S 35D45M01S W 16.37 FT TH S 10D31M47S W 209.47 FT TO THE END OF SAGINAW RIVER TRAVERSE LI TH THE FOLLOWING 3 COURSES ALG N & W BANK OF HOWES SLIP N 76D43M39S W 283.23 FT TH N 85D55M03S W 226.93 FT TH S 27D00M56S W 92.61 FT TO END OF SD TRAVERSE LI TH N 81D39M38S W 43.12 FT TH NLY 92.34 FT ALG A CUR TO LT SD CUR HAVING A RADIUS OF 1348.57 FT CHORD BEAR & DIST OF N 16D11M38S E 92.32 FT TH N 14D13M57S E 12.52 FT TH N 20D47M12S E 8.39 FT TH NLY 98.56 FT ALG CUR TO RT SD CUR HAVING A RADIUS OF 175 FT & CHORD BEAR & DIST OF N 36D55M13S E 97.26 FT TH N 53D03M15S E 7.86 FT TH NLY 114.98 FT ALG CUR TO LT SD CUR HAVING A RADIUS OF 225 FT CHORD BEAR & DIST OF N 38D24M51S E 113.74 FT TH S 81D57M53S E 472.02 FT TO POB CONT 2.61 ACRES M/L WITHIN TRAVERSES AREA & INCLUDES ALL LANDS S OF PARCEL TO C/L HOWES SLIP. (SPLIT FROM -002 FOR '07)

**Sales Information****0 sale record(s) found.**

Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms Of Sale	Liber/Page
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## General Property Information

Bay County

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Parcel: 160-021-151-004-00 Unit: CITY OF BAY CITY

## Property Address

[collapse]

MARINA PARK DR  
BAY CITY, MI 48706

## Owner Information

[collapse]

CITY OF BAY CITY  
301 WASHINGTON AVE  
BAY CITY, MI 48708-5837

Unit: 160

## Taxpayer Information

[collapse]

SEE OWNER INFORMATION

## General Information for Tax Year 2015

[collapse]

<b>Property Class:</b>	703 - EXEMPT CNTY,CITY,TWP,VIL	<b>Assessed Value:</b>	\$0
<b>School District:</b>	09010 - BAY CITY SCHOOL DISTRICT	<b>Taxable Value:</b>	\$0
<b>State Equalized Value:</b>	\$0	<b>Map #</b>	
<b>AUDIT YEAR</b>	0	<b>Date of Last Name Chg:</b>	02/26/2008
		<b>Date Filed:</b>	
<b>Historical District:</b>	N/A	<b>Notes:</b>	N/A
		<b>Census Block Group:</b>	N/A
<b>Principal Residence Exemption</b>	<b>June 1st</b>	<b>Final</b>	
			-
<b>2015</b>	0.0000 %	0.0000 %	

Previous Year Info	MBOR Assessed	Final S.E.V.	Final Taxable
2014	\$0	\$0	\$0
2013	\$0	\$0	\$0

## Land Information

[collapse]

	<b>Frontage</b>	<b>Depth</b>
<b>Lot 1:</b>	0.00 Ft.	0.00 Ft.
<b>Lot 2:</b>	0.00 Ft.	0.00 Ft.
<b>Lot 3:</b>	0.00 Ft.	0.00 Ft.
<b>Total Frontage:</b>	0.00 Ft.	<b>Average Depth:</b> 0.00 Ft.

Total Acreage: 3.47

Zoning Code:

Total Estimated Land Value: N/A

Land Improvements: \$0

Renaissance Zone: NO

Mortgage Code:

Lot Dimensions/Comments:

**Renaissance Zone Expiration****Date:****ECF Neighborhood Code:****Legal Information for 160-021-151-004-00**

[collapse]

THAT PART OF E 1/2 OF NE 1/4 OF SEC 20 T14N R5E VIZ: COM AT NW COR BLK 1 MAP OF LAKE CITY TH S 89D50M01S E 486.81 FT ALG SLY LI OF MIDLAND ST & MIDLAND ST EXT TH FOLLOWING 5 COURSES ALG GRAND TRUNK WESTERN RR CO'S E ROW N 31D40M41S E 46.84 FT TH NLY 18.30 FT ALG A CUR TO LT SD CUR HAVING A RADIUS OF 1298.57 FT & CHORD BEAR & DIST OF N 31D16M26S E 18.30 FT TH NLY 122.18 FT ALG A CUR TO LT SD CUR HAVING A RADIUS OF 1298.57 FT & CHORD BEAR & DIST OF N 28D10M28S E 122.14 FT TH NLY 255.04 FT ALG CUR TO LT SD CUR HAVING A RADIUS OF 1298.57 FT & CHORD BEAR & DIST OF N 19D51M09S E 254.63 FT TH N 14D13M34S E 52.95 FT TH NLY 97.44 FT ALG CUR TO RT SD CUR HAVING A RADIUS OF 225 FT CHORD BEAR & DIST OF N 40D38M53S E 96.69 FT TH N 53D03M15S E 7.86 FT TH NLY 129.66 FT ALG CUR TO LT SD CUR HAVING A RADIUS OF 175 FT & CHORD BEAR & DIST OF N 31D49M46S E 126.71 FT TH N 59D55M42S E 61.22 FT TO POB THENCE CONT N 59D55M42S E 11.24 FT TH N 62D36M10S E 491.35 FT TH NELY 235.70 FT ALG CUR TO RT SD CUR HAVING RADIUS OF 879.93 FT CHORD BEAR & DIST OF N 70D22M52S E 235 FT TO A POINT ON A TRAVERSE LI ON WLY BANK OF THE SAGINAW RIVER TH S 40D28M49S W 115.04 TH S 13D37M29S W 275.78 FT TH S 35D45M01S W 135.87 FT TO END OF SD TRAVERSE LI TH N 81D57M53S W 472.02 FT TH 91.83 FT ALG CUR TO LT SD CUR HAVING A RADIUS OF 225 FT & CHORD BEAR & DIST OF N 12D04M53S E 91.20 FT TO POB CONT 3.47 ACRES M/L (SPLIT FROM -002 FOR '07)

**Sales Information****0 sale record(s) found.**

Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms Of Sale	Liber/Page
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ATTACHMENT  
Letter from the State



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
LANSING



DAN WYANT  
DIRECTOR

November 24, 2015

Ms. Sara Dimitroff  
Economic Development Project Manager  
City of Bay City  
301 Washington Avenue  
Bay City, Michigan 48708

Dear Ms. Dimitroff:

SUBJECT: Michigan Department of Environmental Quality Acknowledgment of the United States Environmental Protection Agency's Brownfield Grant Proposals for 2016

Thank you for your notice and request for a letter of acknowledgment for the city of Bay City's proposals to the United States Environmental Protection Agency (EPA) brownfield grant program. The Department of Environmental Quality, Remediation and Redevelopment Division (RRD) promotes and supports locally-based assessment, cleanup, and redevelopment efforts. Our review of your planned projects meets the EPA's requirements under both of the proposal guidelines.

The city of Bay City is applying for a combined \$200,000 hazardous substances and \$200,000 petroleum assessment grant which could be used to conduct assessment activities at eligible brownfield sites in the city. They are also applying for a \$150,000 hazardous substances cleanup grant for the former Surath Scrap Yard. The RRD recognizes the success of previous EPA grants that the city has implemented and believes it will make excellent use of additional funding. The city of Bay City is considered eligible for these grants as a general purpose unit of local government.

Should the EPA award these brownfield grants to the city, it would stimulate redevelopment and reuse of underutilized and contaminated properties and improve the economic development and environmental conditions in the municipality. If you need further information or assistance regarding specific brownfield sites, please contact me at the number below or by email at [smedleyr@michigan.gov](mailto:smedleyr@michigan.gov).

Sincerely,

Ronald L. Smedley  
Brownfield Redevelopment Coordinator  
Brownfield Redevelopment Unit  
Remediation and Redevelopment Division  
517-284-5153

cc: Carrie Geyer, DEQ

ATTACHMENT  
Public Notice Documentation

## **NOTICE OF AVAILABILITY OF DRAFT ANALYSIS OF BROWNFIELD CLEANUP ALTERNATIVES**

The City of Bay City is applying for \$150,000 Brownfield Cleanup Grant from the United States Environmental Protection Agency. The purpose of the grant is to address contamination historically released at Ohio Street and Marina Park Drive (historically referred to as the Surath Scrap Yard Property). The objective of the grant is to reduce potential risks to human health, welfare, and the environment, while facilitating the successful redevelopment of the property. The City of Bay City and its consultant have prepared a Draft Analysis of Brownfield Cleanup Alternatives (ABCA), which evaluates the applicable cleanup alternatives, and identifies the most economical and efficient manner to address the historical contaminants.

**PLEASE TAKE NOTICE THAT** a Public Meeting shall be held to discuss the objective of the project from 3:00 p.m. to 5:00 p.m. on December 11, 2015 in Room 210 of City Hall, 301 Washington Avenue, Bay City, Michigan.

The purpose of the proposed cleanup is to address the contamination that was historically deposited at the property. The proposed cleanup will reduce environmental risks to human and environmental receptors. The proposed activities are also intended to assist in facilitating the redevelopment of the property by reducing the potential economic burdens associated with the funding of the cleanup.

In addition to the above public meeting, a copy of this document will be available for inspection from December 4, 2015 until December 17, 2015 in room 204 at Bay City Hall, 301 Washington Avenue in Bay City, Michigan during normal business hours. All interested parties are encouraged and will be offered an opportunity to address any aspect of the proposed activities. The purpose of this public notification is to provide the fullest opportunity for expression of opinion, the merits, and for introduction of documentary evidence pertaining to the proposed cleanup. Interested parties may also contact Sara Dimitroff, City of Bay City Project Coordinator at (989) 894-8159.

ATTACHMENT  
Letters of Support





**MIKE GREEN**

31ST DISTRICT

P.O. BOX 30036

LANSING, MI 48909-7536

PHONE: (517) 373-1777

TOLL-FREE: (866) 305-2131

FAX: (517) 373-5871

[www.StateSenatorMikeGreen.com](http://www.StateSenatorMikeGreen.com)

**THE SENATE  
STATE OF MICHIGAN**

**COMMITTEES:**

AGRICULTURE, VICE CHAIR  
APPROPRIATIONS, MEMBER

**SUBCOMMITTEES:**

CHAIR, AGRICULTURE AND  
RURAL DEVELOPMENT  
CHAIR, DEPARTMENT OF  
ENVIRONMENTAL QUALITY  
CHAIR, DEPARTMENT OF  
NATURAL RESOURCES  
OUTDOOR RECREATION AND  
TOURISM, MEMBER

December 4, 2015

David R. Lloyd  
Director of Brownfields Cleanup and Revitalization  
U.S. Environmental Protection Agency  
Washington, DC

Dear Director Lloyd:

I am contacting you to express my support for U.S. EPA grant funding for Bay City, Michigan to promote and support locally-based assessment, cleanup and redevelopment efforts.

The City of Bay City is applying for a combined \$200,000 hazardous substances and \$200,000 petroleum assessment grant which would be used to conduct assessment activities at eligible brownfield sites in the City. They are also applying for a \$150,000 hazardous substances cleanup grant for the former Surath Scrap Yard.

I support the City of Bay City's EPA grant application, and urge the EPA to further support Bay City. This funding would stimulate redevelopment and reuse of underutilized and contaminated properties and improve the economic development and environmental conditions within the City. I hope you will give their application strong consideration. If you have any additional questions, please do not hesitate to contact me at 517-373-1777 or [senmgreen@senate.michigan.gov](mailto:senmgreen@senate.michigan.gov).

Sincerely,

Mike Green  
State Senator, 31<sup>st</sup> District



4 December 2015

Mr. David R. Lloyd  
Director of Brownfields Cleanup and Revitalization  
U.S. Environmental Protection Agency  
Washington, DC

**Re: Support for EPA Brownfield Grant for Bay City, MI**

Dear Director Lloyd:

I am writing on behalf of RiversEdge Development Corporation (dba River Front Bay City Development Company) to convey our enthusiastic support for U.S. EPA grant funding for Bay City, Michigan, to promote and support locally based assessment, cleanup and redevelopment efforts.

The City of Bay City is applying for a combined \$200,000 hazardous substances and \$200,000 petroleum assessment grant, which would be used to conduct assessment activities at eligible brownfield sites in the City. They are also applying for a \$150,000 hazardous substances cleanup grant for the former Surath Scrap Yard.

River Front Bay City Development Company is a non-profit, public-private partnership with the City of Bay City. The mission of this volunteer group is to promote the redevelopment of challenging properties near the Bay City riverfront. We seek to remove barriers to attracting investment, jobs and housing to sites that the market has been unwilling to address. We support the City of Bay City's EPA grant application because EPA funding is a critical tool to address the environmental barriers to redevelop these industrial sites, often found near the river.

I note Bay City has an excellent track record of prudently using EPA funds to leverage responsible clean ups and economic development. There is no question - this funding would stimulate redevelopment and reuse of underutilized and contaminated properties and improve the economic development and environmental conditions within the City. We respectfully ask you give the highest consideration to Bay City's application for EPA Brownfield funding. Thank you for your consideration.

Regards,

  
Steven Black  
Chairman

December 11, 2015

Mr. David R. Lloyd  
Director of Brownfields Cleanup and Revitalization  
U.S. Environmental Protection Agency  
Washington, DC

**Re: Strong Support for EPA Brownfield Grant for Bay City, MI**

Dear Director Lloyd:

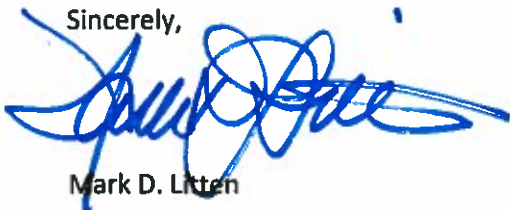
I am writing to you on behalf of Bay Future, Inc. to convey our strong support for U.S. EPA grant funding for Bay City, Michigan to promote and support locally-based assessment, cleanup and redevelopment efforts.

The City of Bay City is applying for a combined \$200,000 hazardous substances and \$200,000 petroleum assessment grant which would be used to conduct assessment activities at eligible brownfield sites in the City. They are also applying for a \$150,000 hazardous substances cleanup grant for the former Surath Scrap Yard.

Our organization is a 501 (c) (3) non-profit that facilitates economic development strategies that promote and secure opportunities for business retention, growth, and the attraction of new industries that create quality jobs for community residents. We support the City of Bay City's EPA grant application, and urge EPA to further support Bay City, because your funding will be a critical, culminating piece of federal support for these projects.

This funding would stimulate redevelopment and reuse of underutilized and contaminated properties and improve the economic development and environmental conditions within the City. Please give the highest consideration to Bay City's application for EPA Brownfield funding. Thank you very much.

Sincerely,



Mark D. Litten  
President & CEO

ATTACHMENT  
Analysis of Brownfield Cleanup Alternatives (ABCA)

**ANALYSIS OF BROWNFIELD CLEANUP ALTERNATIVES  
FORMER SURATH SCRAP YARD PROPERTY  
13.37-ACRES AT EAST OHIO STREET AND MARINA PARK DRIVE  
BAY CITY, MICHIGAN**

**City of Bay City  
U.S. Environmental Protection Agency FY 2016 Cleanup Grant Application**

*prepared for*

**CITY OF BAY CITY  
301 WASHINGTON AVENUE  
48708**

**PREPARED: DECEMBER 1, 2015**

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## **FIGURES**

Figure 1 .....	Subject Property Location Map
Figure 2 .....	Topographic Location Map
Figure 3 .....	Subject Property Map

## **APPENDICES**

Appendix A .....	Photographs
Appendix B .....	Historical Aerial Photograph

**ANALYSIS OF BROWNFIELD CLEANUP ALTERNATIVES  
FISCAL YEAR 2016 U.S. EPA CLEANUP GRANT APPLICATION  
FORMER SURATH SCRAP YARD  
13.37 ACRES AT STATE STREET AND MARINA PARK DRIVE  
BAY CITY, MICHIGAN  
FOR  
CITY OF BAY CITY  
BAY CITY, MICHIGAN**

## **1.0     INTRODUCTION**

This Analysis of Brownfield Cleanup Alternatives (ABCA) was prepared by AKT Peerless Environmental & Energy Services (AKT Peerless) for the City of Bay City. This ABCA was conducted for the site commonly identified as the former Surath Scrap Yard in Bay City, Michigan (the “subject property”). The ABCA is a required element of a proposed cleanup using the United States Environmental Protection Agency (US EPA) Cleanup Grant Application being submitted by the City of Bay City for the 2016 fiscal year for US EPA consideration.

The subject property is located in the northeast ¼ quadrant of Section 20 in the City of Bay City (T.14N./R.5E.), Bay County, Michigan. The subject property is along the western shoreline of the Saginaw River in the historical Midland Street business district. The subject property consists of four parcels that contain approximately 13.37 acres, with approximately 1,279 lineal feet of shoreline along the Saginaw River. The City of Bay City is the current owner of the subject property. It should be noted that numerical addresses are only associated with one of the parcels that was the former location of the Surath Scrap Yard office. The remaining parcels were used concurrently for metal salvage operations. The following table summarizes the information regarding each of the individual parcels comprising the subject property.

<b>Address</b>	<b>Tax Identification Number</b>	<b>Owner of Record</b>	<b>Approximate Acreage</b>
Marina Park Drive	160-021-151-004-00	City of Bay City	3.47
Marina Park Drive	160-021-151-005-00	City of Bay City	2.61
1001 East Ohio Street	160-021-151-002-00	City of Bay City	5.50
Liberty Bridge right-of-way (ROW)	160-021-151-003-00	City of Bay City	1.79



The objective of this ABCA is to evaluate the best activities to mitigate the potential for soil and groundwater contamination to adversely impact the environmental quality and aid in the successful redevelopment of this keystone riverfront property. Refer to Figure 1, Property Location Map, Figure 2, Topographic Location Map, and Appendix A for photographs of the subject property.

In preparing this ABCA, AKT Peerless considered environmental factors, various site characteristics, surrounding property features and uses, future operations on the subject property, and potential receptors to establish the cleanup goals. Furthermore, the cleanup activities discussed within this plan are intended to comply with due care obligations defined in Section 7a of Part 201 of Michigan's NREPA PA 451, with respect to known contamination at the property and mitigate unacceptable exposure risks and exacerbation regarding future use of the subject property.

This ABCA provides a comparative analysis of the cleanup alternatives being considered using the criteria of effectiveness, ease of implementation and the cost of each alternative. The analysis also considers the nature of the proposed redevelopment and future land use considerations. This ABCA recommends the best cleanup alternative and enables the shoreline redevelopment of the subject property to be completed in accordance with the approved Section 7(a) Compliance Analysis. The shoreline redevelopment will be for public use, and will accentuate the private development being completed by the developer on the remainder of the site. This development is a direct benefit to the public.

## **2.0 BACKGROUND**

### **2.1 SITE DESCRIPTION AND CURRENT USE**

The subject property consists of four contiguous parcels of land totaling approximately 13.37 acres. The subject property is located along the western shoreline of the Saginaw River, approximately 1,279 lineal feet of shoreline. Refer to the following table for additional property details:

Address	Tax Identification Number	Owner of Record	Approximate Acreage
Marina Park Drive	160-021-151-004-00	City of Bay City	3.47
Marina Park Drive	160-021-151-005-00	City of Bay City	2.61
1001 East Ohio Street	160-021-151-002-00	City of Bay City	5.50
Liberty Bridge right-of-way (ROW)	160-021-151-003-00	City of Bay City	1.79

The subject property is located in the northeast  $\frac{1}{4}$  quadrant of Section 20 in the City of Bay City (T.14N./R.5E.), Bay County, Michigan. The subject property is along the western shoreline of

the Saginaw River in the historical Midland Street business district. The subject property is currently zoned M-2 General Industrial and is located in an area of the city of Bay City that is characterized by commercial and residential properties, surface roadways, municipal water, sanitary and storm sewer services, electrical and gas utilities.

The subject property currently consisted of undeveloped land and the Liberty Bridge right of way.

## 2.2 SITE HISTORY

Environmental assessments indicate that soil and groundwater have been impacted by hazardous substances on the subject property. AKT Peerless anticipates the contaminants are attributable to the historic import of fill materials and former industrial operations (i.e. sawmill, lumber yard, and scrap yard operations). During subsurface investigations activities, a discontinuous shallow unconfined groundwater unit has been encountered at depths ranging from 5 to 15 feet below ground surface (bgs). Although select contaminants have been identified in groundwater, soil is the primary impacted material. Environmental investigations have been conducted at the subject property in which soil and groundwater contamination, specifically, VOCs, PNAs, metals and PCBs have been identified at concentrations at or exceeding MDEQ Part 213 Risk-Based Screening Levels (RBSLs). Refer to Appendix B for an aerial photograph depicting the historical industrial development on the subject property.

## 2.3 CURRENT AND HISTORICAL LAND USE OF ADJACENT PROPERTY

The following table describes the current uses of the adjoining properties, identified occupants, and noteworthy observations of environmental concern, if any, that were noted during AKT Peerless' 2010 reconnaissance of the adjoining properties.

The following table describes the current uses of the adjoining properties, identified occupants, and noteworthy observations of environmental concern, if any, that were noted during AKT Peerless' recent reconnaissance of the adjoining properties.

**Summary of Current Use of Adjoining Properties**

Direction	Address	Current Use / Occupant	Potential Concerns
North	N/A	Undeveloped/Unknown	None observed
	N/A	Railroad	None observed
East	N/A	Saginaw River	None observed
South	963 Midland Street	Boat Storage Area and Marina/Pier 7	None observed
West	N/A	Boat Storage Area/Pier 7	None observed
	109 North Linn Street	Commercial/Knights Limo Service & Jay Samborn Entertainment	None observed
	N/A	Electrical Sub Station	None observed
	N/A	Railroad	None observed

The following table summarizes the general development and use of the subject property, as

identified by AKT Peerless.

### Summary of Historical Use of Subject Property

Time Period	Improvements	Use	Owner / Occupant	Data Source(s)
1895 – Early 1900s	Boat slips, lumber docks, and “slabs.”	Lumber and/or Sawmill	Not determined	Fire Insurance Maps
1910s – early to mid-1930s	Boat slip and railroad spur	Unknown	Not determined	Fire Insurance Maps Aerial photographs
Late 1930s – 1950s	Railroad spur, dwelling, roofing warehouse, and two other structures	Commercial	Surath & Sons Scrap Iron (1960s)	Fire Insurance Maps Municipal records Aerial photographs City directories Interviews Reconnaissance
1960s – Mid 1980s	Railroad spur, dwelling, roofing warehouse.	Scrap/junk yard	Surath & Sons Scrap Iron	Municipal records Aerial photographs City directories Interviews Reconnaissance
Mid 1970s – Mid 1980s	Railroad spur, dwelling, roofing warehouse.	Scrap/junk yard	Surath & Sons Scrap Iron	Municipal records Aerial photographs City directories Interviews Reconnaissance
Late 1980s – 2006	One structure and the Liberty Bridge is constructed	None	City of Bay city	Municipal records Aerial photographs City directories Interviews Reconnaissance
2007 – Present	Liberty Bridge; the on-site building was demolished	None	City of Bay city	Municipal records Aerial photographs City directories Interviews Reconnaissance

## 2.4 PREVIOUS ENVIRONMENTAL INVESTIGATIONS

AKT Peerless evaluated the analytical results for soil and groundwater samples derived over the past two decades during distinct subsurface investigations, which were intended to evaluate the nature and extent of contamination at the subject property. Multiple distinct environmental assessments have been conducted at the subject property between to evaluate the nature and extent of contamination attributable to the historic operations. The following specific environmental reports have been prepared for the subject property:

- **Report of a Soil Sampling Investigation, August 1988, Surath Property, Bay City, Michigan.**

- Summary of Environmental Conditions, April/March 1998, Surath Property, Bay City, Michigan.
- Phase I Environmental Site Assessment (ESA), February 2010, Surath Property, Bay City, Michigan

In June-August 1988 a total of 36 soil borings were completed in a grid pattern throughout the subject property. Soil samples were collected from 1 to 3-feet depth intervals. The samples collected were analyzed for PCBs. The soil borings were drilled until groundwater was reached in each boring. Groundwater depths ranged from 3.5 feet to 5-feet below ground surface (bgs). The lithology of the site was predominately silty sandy clays with large amounts of debris including metal pieces, wood debris, tires, etc. A wet grey medium sand was found beneath the clays at 3.5 to 5-feet bgs. The sand appeared to correlate with the level of the Saginaw River.

Based on analytical results, PCBs were found in 10 of the 36 soil samples collected from the subject property. The highest concentrations of PCBs were found near a building that was located on the western portion of the subject property (structure has been demolished).

On February 23, 1998, 91 soil borings were performed and 232 soil and four groundwater samples were collected. On March 2, 1998, 10 soil borings were performed and five monitoring wells were installed and 15 soil samples were collected. On March 20, 1998 and April 17, 1998 groundwater samples were collected from the monitoring wells. Soil and groundwater samples were analyzed for PCBs, VOCs, semi-volatile organic compounds (SVOCs) and total metals. These soil boring locations were determined in accordance with the Verification for Soil Remediation (VSR) document prepared by the MDNR dated April 1994.

The subject property was determined to be a *facility* based on arsenic, chromium, lead, mercury, selenium, barium, cadmium, silver, copper, zinc, methylene chloride, tetrachloroethylene, trichloroethylene, naphthalene, phenanthrene, flouranthene, benzo(a)pyrene, dibenzo(a,h)anthracene, benzo(b)flouranthene, benzo(a)anthracene, indeno(1,2,3-cd)pyrene, acenaphthene, flourene, and PCBs contaminants in the soil and groundwater. Residential and Commercial Drinking Water Protection was a groundwater exposure pathway while Drinking Water Protection Criteria, Groundwater Surface Water Contact Protection Criteria, and Direct Contact Criteria were exposure pathways for soil.

### **3.0 CURRENT ENVIRONMENTAL CONCERNS AND CLEANUP OBJECTIVES**

Soil and groundwater at the subject property has been contaminated as a result of multiple releases of the historical industrial activities. Contaminants consist of VOCs, PNAs, metals and PCBs have been identified at concentrations at or exceeding MDEQ Part 213 Risk-Based Screening Levels (RBSLs).

#### **4.0 PROPOSED FUTURE USE**

The purposed future use of the subject property will include multiple buildings for mixed use commercial purposes.

#### **5.0 CLEANUP STANDARDS / APPLICABLE LAWS**

Work proposed at the site will be completed in accordance the Michigan NREPA, 1994 PA 451, as amended, Mich. Comp. Laws §101, *et seq.* Specifically Part 201, as amended, and the Rules promulgated thereunder.

NREPA PA 451, Part 20120a authorizes the MDEQ to establish cleanup criteria. The analysis of exposure pathways and due care obligations will be based on the MDEQ GCC established under Part 201.

Contamination in excess of Part 201 GCC is known to exist at the subject property. To address potential exposures and comply with due care obligations the City of Bay City will implement cleanup/response activities as described below.

Part 201 Section 20107a defines due care obligations for owners and operators of a contaminated property. According to Section 7a of Part 201, due care obligations include:

- Undertaking measures to prevent exacerbation of existing contamination.
- Exercising due care by undertaking response activities to mitigate unacceptable exposure to hazardous substances, mitigate fire and explosion hazards due to hazardous substances, and allow for the intended use of the subject property in a manner that protects health and safety.
- Taking reasonable precautions against the reasonably foreseeable acts or omissions of a third party and the consequences that could result from those acts or omissions.
- Providing reasonable cooperation, assistance, and access to the persons that are authorized to conduct response activities at the facility, including the cooperation and access necessary for the installation, integrity, operation, and maintenance of any complete or partial response activity at the facility.
- Complying with any land use or resource use restrictions established or relied on in connection with the response activities at the facility.
- Not impeding the effectiveness or integrity of any land use or resource use restriction employed at the facility in connection with response activities.

The proposed cleanup action will comply with Part 201 including due care obligations.

## **6.0 PROPOSED CLEANUP OBJECTIVES**

The potential cleanup alternatives are evaluated with respect to the following objectives:

1. Compliance with local, state, and federal regulatory requirements.
2. Reduction of threats to human health and the environment. Specifically, the Saginaw River, which is a critical component of the Lake Huron watershed. Furthermore, the Saginaw River empties into the southern portion of Lake Huron, which is used locally for a source of raw water for the Bay City Drinking Municipal Drinking Water System. Therefore, the cleanup alternatives are intended to prevent increasing the availability of contamination to the regional surface water resources.
3. Facilitate the safe and sustainable redevelopment of the subject property to the benefit of the local community members and economic base. This redevelopment provides for the reuse of a formerly blighted vacant property. The redevelopment will promote the expanded recreational use of the Saginaw River and associated shoreline. Additionally, the shoreline will catalyze the ongoing mixed use redevelopment and increase the location desirability for additional development.

## **7.0 CLEANUP ALTERNATIVES**

AKT Peerless evaluated the cleanup alternatives, in light of the characteristics of the known contamination and the proposed redevelopment along the Saginaw River Shoreline. The cleanup objective is to mitigate the potential for existing contaminants to become more available to the environment during and following the riverfront construction activities.

### **Option No. 1 – No Action**

The No Action alternative is not a viable alternative. In addition to this alternative resulting in potential exposure risks to human and environmental receptors, the proposed shoreline redevelopment would result in the inadvertent exacerbation of contamination into the Saginaw River.

***Effectiveness:*** The “no action” option is not appropriate for this project. This does not reduce or mitigate the threats to human health and the environment.

***Implementation:*** This option is easy to implement requiring no technical or administrative effort; however, this option will not contribute to the continued redevelopment of the subject property and is not supportive of the City’s proposed use and overall objectives.

***Cost:*** Not applicable

### **Option No. 2 – Due Care Response Activities / Onsite Soil Relocation and Capping**

Under this alternative, Bay City would complete select cleanup/response activities to mitigate potential exposures and comply with due care obligations. As previously presented, the City of Bay City is working collectively with private developers to achieve the successful redevelopment of the subject property. The overall redevelopment is separated into private and public site features. The City of Bay City and the developer are working collectively to conduct the private and public redevelopment in unison to maximize efficiency. Furthermore, to prevent exacerbation and sedimentation of the Saginaw River, in-situ response activities are needed. This will include the use of engineered erosion controls and turbidity curtains.

Under this option the following activities will be completed to comply with due care obligations with respect to known contamination at the property, mitigate unacceptable exposure risks during and following the shoreline redevelopment. This alternative was established to minimize threats to human health and the environment based on the location and characteristics of the soil and groundwater contamination. The redevelopment will stabilize the contaminants and reduce the environmental risk.

Work will be performed according to the NREPA 1994 PA 451, Part 201, as amended. All earthwork activities will be conducted in accordance with applicable Federal, State, and local safety and occupational health laws and regulations. This includes, but is not limited to Occupational Safety and Health Administration (OSHA) standards, 29 CFR Part 1910, especially Section .120, "Hazardous Waste Site Operations and Emergency Response" and 29 CFR Part 1926, especially Section .65, "Hazardous Waste Site Operations and Emergency Response."

***Effectiveness:*** The Due Care Response Activities/ Capping with Green Space alternative is compatible with regulatory requirements, the goal of reducing the environmental threats to human health and the environment, supports the on-going redevelopment of the subject property, and complies with the all applicable plans and permits. Finally, this alternative provides a positive impact on the surrounding sites/community, and is the most cost effective.

Completion of this alternative will produce several advantages including, but not limited to:

- Allow the city to comply with Part 201 Section 7(a), due care obligations.
- Provide a physical separation from existing contamination, preventing human contact, inhalation, and ingestion exposures.
- Reduce storm water runoff to the adjoining Saginaw River.
- Minimize precipitation infiltration (via drainage infrastructure study/improvements, additional soil holding capacity, and evapotranspiration), which will minimize/reduce contaminated soil and groundwater movement, contaminant leaching and subsequent flux of contaminants to the adjoining Saginaw River.
- Improve property aesthetics providing a public benefit to the surrounding community.
- Reposition the property for possible reuse as public green space.
- Better understand and document if natural attenuation processes are occurring.



**Implementation:** This option is easily implemented following standard environmental consulting, engineering and construction practices. The site is accessible for field equipment and field personnel. Health and safety, as well as due care obligations (e.g. preventing exposure, exacerbation, or creating new exposure pathways) will need to be addressed as part of the work.

### **Option No. 3 – Removal and Offsite Disposal of Impacted Soil**

Under this option, Bay City would remove impacted soil from the portion of the subject property that will be disturbed during the shoreline redevelopment of the subject property. This option will involve excavating impacted soil and transporting the soil for off-site landfill disposal. Excavation adjacent to the river would require significant dewatering, as necessary to support the excavation activities. Excavation area would also require restoration to facilitate the redevelopment.

**Effectiveness:** The Soil Removal alternative is compatible with regulatory requirements and the goal of reducing the environmental threats to human health. However, in addition to the infeasible cost, the volume of soil requiring disposal would result in the increase in traffic, expend valuable landfill space, and be counterproductive to the green cleanup approach that has been implemented across the subject property. Impacted soil away from the shoreline is being capped in-place to permanently segregate the contaminants from users of the subject property.

This option would reduce the threat of exposure to human and environmental receptors and contaminant migration. This approach would permanently mitigate the existing environmental threats posed by shoreline contamination.

This alternative has multiple drawbacks over the other alternatives including: (1) it creates potential for exacerbation of contamination or off-site safety concerns associated with handling and transportation of the waste materials, (2) it uses landfill capacity, (3) it adds unnecessary stress to the transportation system, and (4) it requires importation of a significant volume of replacement fill.

**Implementation:** Based on the size of the property and ubiquitous presence of soil impact the overall scope of this option is not easily implemented. This alternative would result in the excavation and disposal of large quantities of soil, as well as create additional health and safety concerns that would also need to be addressed. For example, open excavations will need to be properly maintained and barricaded. Earthwork activities within the floodplain will need to be permitted in accordance with local and state regulatory requirements.

**Cost:** The cost to complete the soil removal activities has not been formally established. However, informed estimates exceed \$1.5 million. In addition to the fact that sufficient funding



does not exist to implement this option and the implementation timing would not support the ongoing progress of the redevelopment, this alternative results in the undesired stress on the transportation system and landfill.

### **7.1 RECOMMENDED CLEANUP ALTERNATIVE**

Option No. 2 Due Care Response Activities / Onsite Spoils Relocation and Capping are recommended for implementation at the subject property, as it meets each of the cleanup objectives:

1. Compliance with local, state, and federal regulatory requirements.
2. Reduction of threats to human health and the environment, specifically the Saginaw River quality.
3. Facilitate the continued redevelopment of the subject property to the benefit of the local community.
4. Compliance with the MDEQ affirmed Due Care Plan.

It has been determined that Option No. 1 will not mitigate the threats to human health and the environment that are known to exist on the subject property, nor will it facilitate/meet project goals.

Option No. 3 is not feasible based on lack of sufficient characterization data and funding.

### **8.0 CONCLUSION**

Remedial alternatives were evaluated based on effectiveness, implementation, cost, and the cleanup objectives described in Section 6.0.

The No Action alternative (Option No.1) and Soil Removal alternative (Option No. 3) will not mitigate the threats to human health and the environment and/or meet the project goals. Furthermore, Option No. 3 is prohibitively costly and places other burdens on the local environmental, including roadways, fuel consumption, and landfill uptake.

The Due Care Response Activities/Onsite Soil Relocation and Capping (Option No. 2) is recommended for implementation at the subject property, as it meets each of the cleanup objectives. This option is easily implemented, will mitigate risks to human health and the environment, will provide a long term cleanup response, and fits within the proposed project funding and redevelopment objectives.

### **9.0 SIGNATURES OF ENVIRONMENTAL PROFESSIONAL**

This ABCA was prepared by the following individual.



A handwritten signature in black ink, appearing to read "Sean D. Robinson", positioned above a horizontal line.

Sean D. Robinson, CHMM

Project Manager

**AKT Peerless Environmental & Energy Services**

Saginaw, Michigan Office

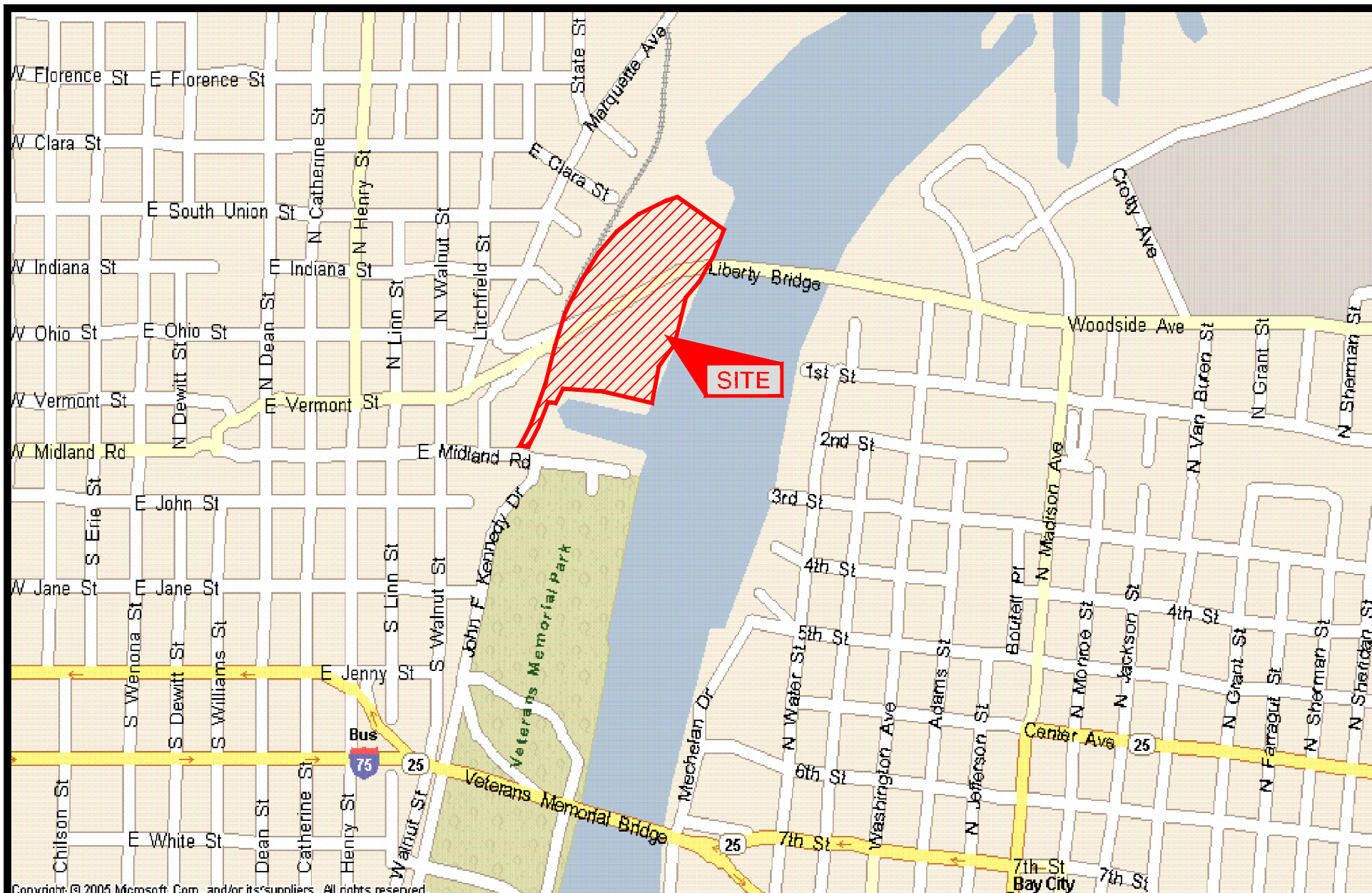
Email: [robinsons@aktpeerless.com](mailto:robinsons@aktpeerless.com)

Phone: 989.754.9896

Fax: 989.754.3804

## FIGURES





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**SUBJECT PROPERTY LOCATION MAP**  
 FORMER SURATH SCRAP YARD INCLUDING  
 PARCELS: 160-021-151-002-000,  
 160-021-151-003-000, 160-021-151-004-000,  
 160-021-151-005-000  
 BAY CITY, MICHIGAN  
 PROJECT NUMBER : 6446s-1-17

**LEGEND**

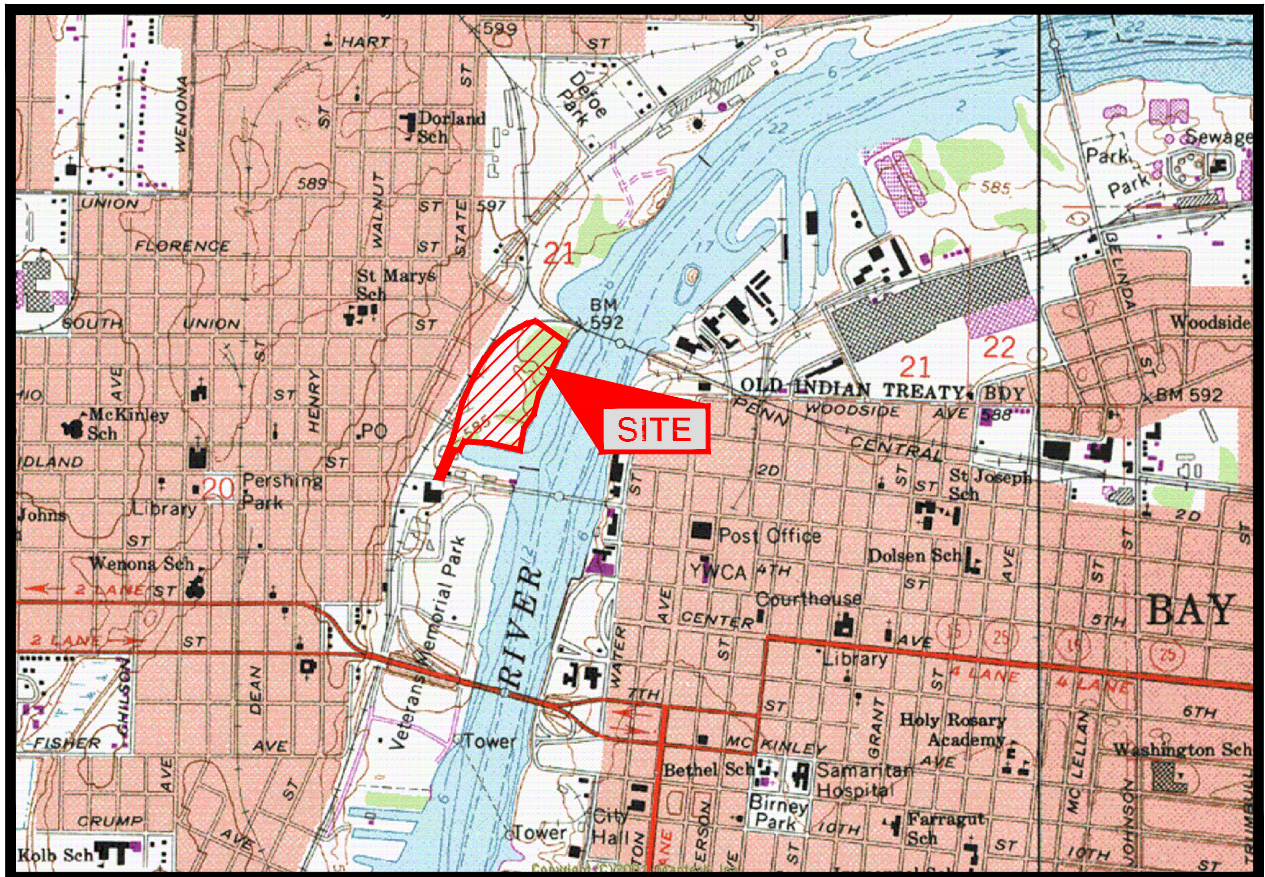


DRAWN BY: OGO  
 DATE: 01-21-10

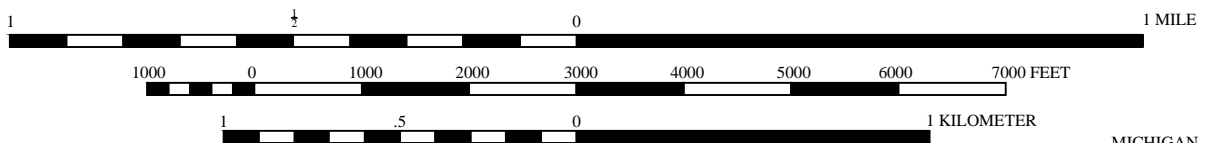
**FIGURE 1**



**BAY CITY QUADRANGLE**  
MICHIGAN - BAY COUNTY  
7.5 MINUTE SERIES (TOPOGRAPHIC)



T.14 N. - R.5 E.



CONTOUR INTERVAL 5 FEET  
DATUM IS MEAN SEA LEVEL



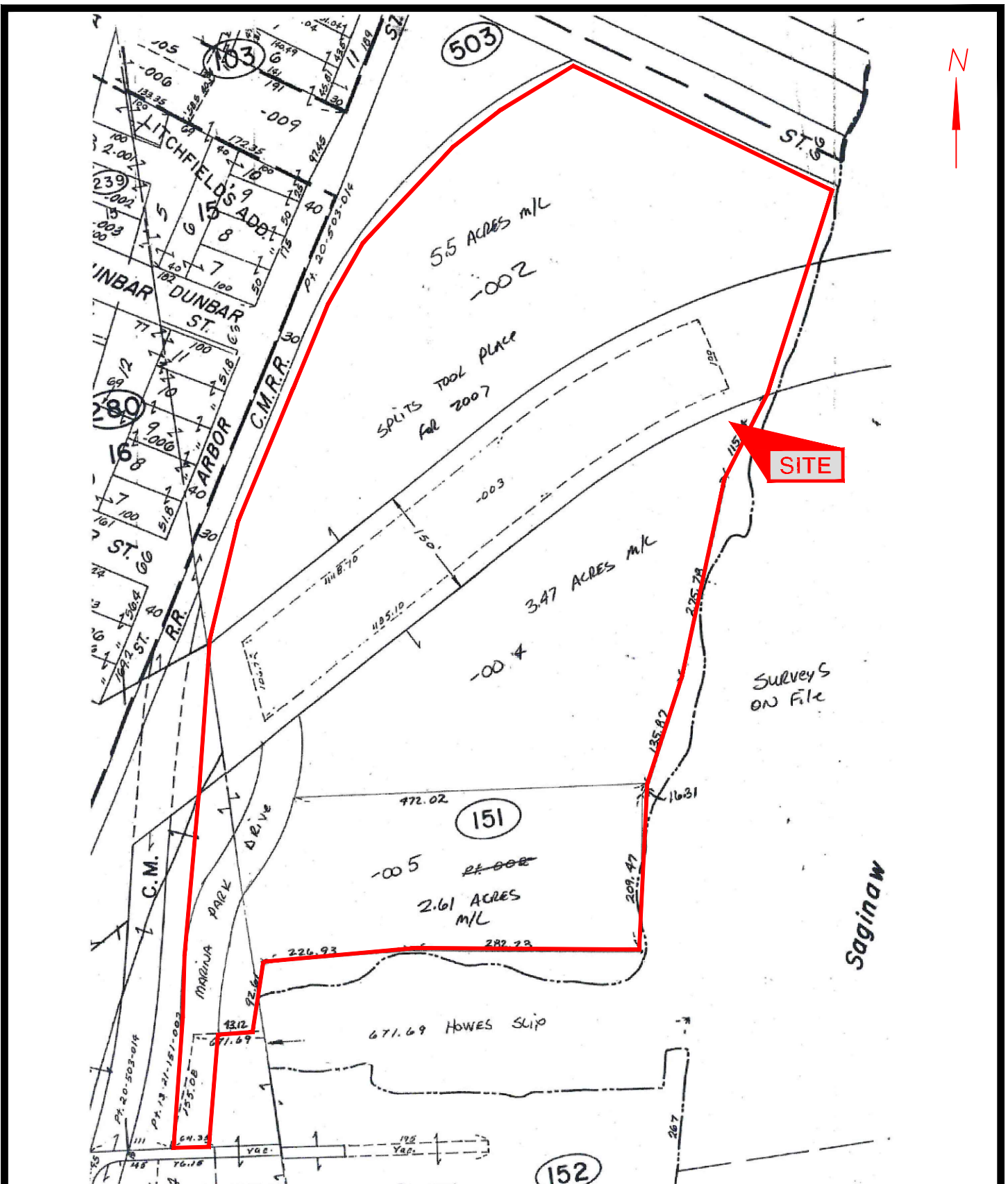
IMAGE TAKEN FROM 1967 U.S.G.S. TOPOGRAPHIC MAP  
PHOTOREVISED 1973

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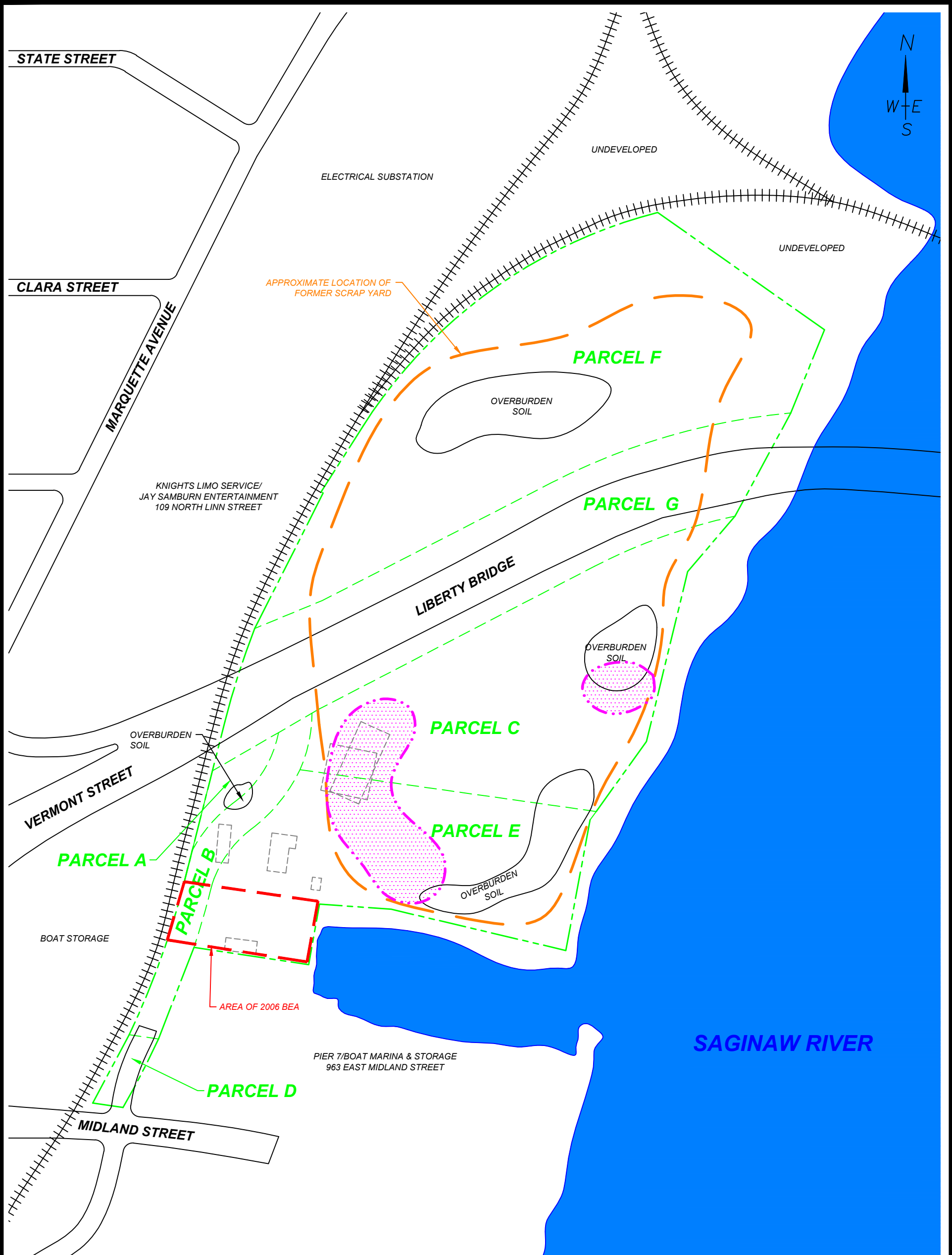
**TOPOGRAPHIC LOCATION MAP**  
FORMER SURATH SCRAP YARD INCLUDING  
PARCELS: 160-021-151-002-000,  
160-021-151-003-000, 160-021-151-004-000,  
160-021-151-005-000  
BAY CITY, MICHIGAN  
PROJECT NUMBER : 6446s-1-17

DRAWN BY: OGO  
DATE: 01-21-10

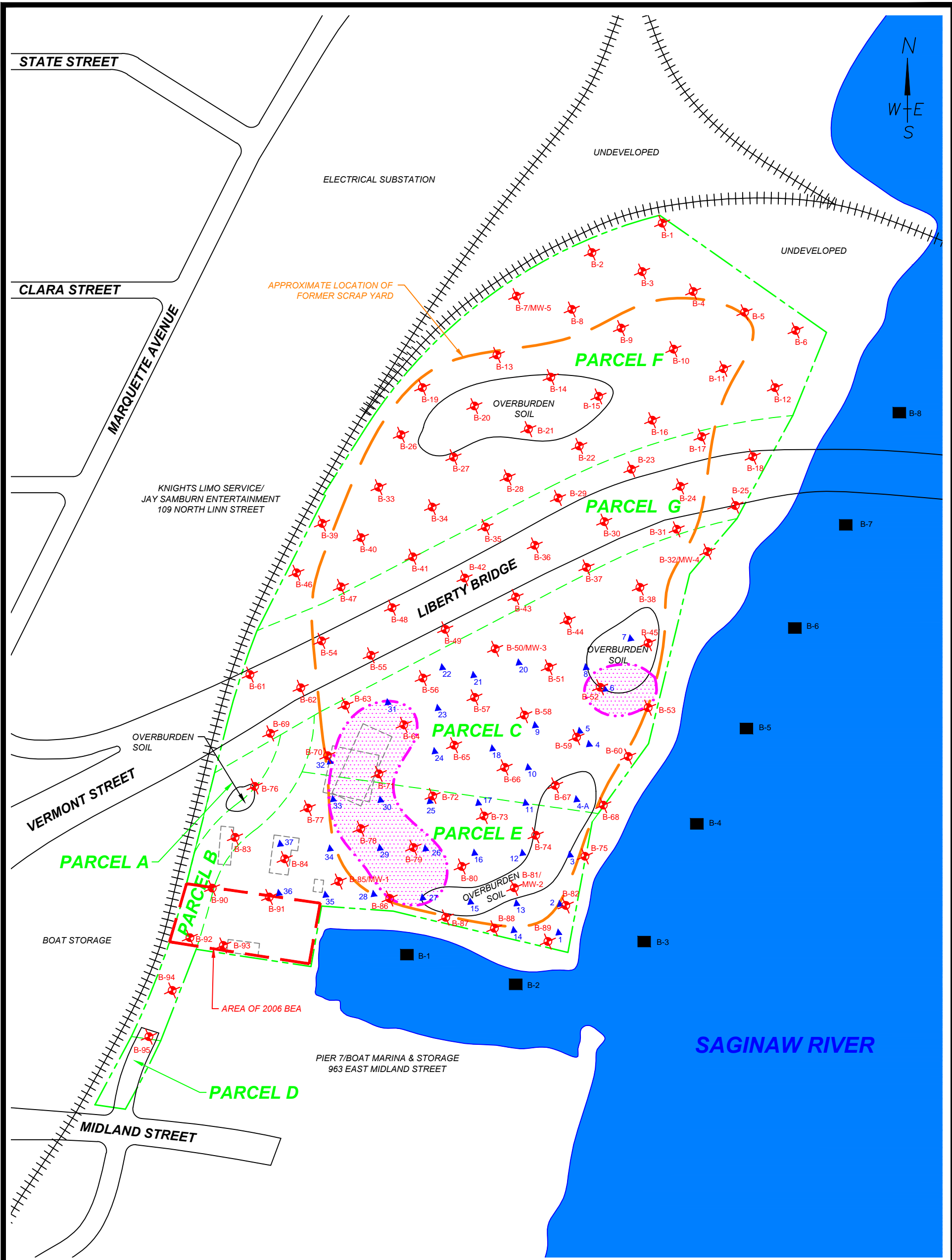
FIGURE 2







- LEGEND
- = PROPERTY LINE
  - - - = PARCEL LINE
  - + + + + + = RAILROAD LINE
  - - - - - = FORMER STRUCTURES
  - ... = PCB CONTAMINATION REFER TO FIG.2 OF SEG MAP



LEGEND

- = PROPERTY LINE
- - - = PARCEL LINE
- ++++ = RAILROAD LINE
- = FORMER STRUCTURES
- ▲ = SOIL BORING BY SEG (1988)
- ⊗ = SOIL BORING BY LANDMARK ENVIRONMENTAL (1998)
- = SOIL BORING BY RC ASSOCIATES, INC. (2001)
- = PCB CONTAMINATION REFER TO FIG.2 OF SEG MAP





**SUBJECT PROPERTY MAP**

FORMER SURATH SCRAP YARD INCLUDING PARCELS:  
160-021-151-002-000, 160-021-151-003-000, 160-021-151-004-000,  
160-021-151-005-000  
BAY CITY, MICHIGAN  
PROJECT NUMBER : 6446s

DRAWN BY: OGO  
DATE: 12/03/2015

0 75 150  
SCALE: 1" = 150'

**FIGURE 2**

**APPENDIX A**

**PHOTOGRAPHS**



*PHOTOGRAPH 1: SUBJECT PROPERTY  
VIEW OF SUBJECT PROPERTY*



*PHOTOGRAPH 2: SUBJECT PROPERTY  
VIEW OF SUBJECT PROPERTY*





*PHOTOGRAPH 3: SUBJECT PROPERTY  
VIEW OF SUBJECT PROPERTY*



*PHOTOGRAPH 4: SUBJECT PROPERTY  
VIEW OF SUBJECT PROPERTY*

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*RECONNAISSANCE PHOTOGRAPHS  
FORMER SURATH SCRAP YARD INCLUDING  
PARCELS: 160-021-151-002-000,  
160-021-151-003-000, 160-021-151-004-000,  
160-021-151-005-000  
BAY CITY, MICHIGAN  
PROJECT NUMBER : 6446s-1-17*

TAKEN BY: JJBW  
DATE: 01-14-10



*PHOTOGRAPH 5: SUBJECT PROPERTY  
VIEW OF SUBJECT PROPERTY*



*PHOTOGRAPH 6: SUBJECT PROPERTY  
VIEW OF SUBJECT PROPERTY*

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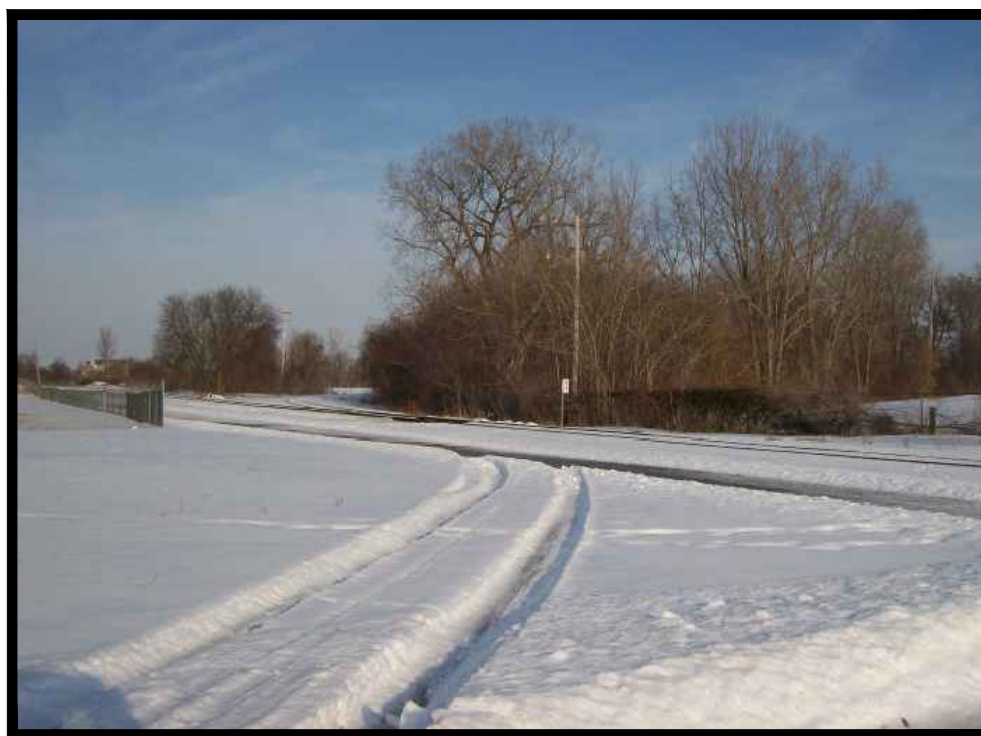
*RECONNAISSANCE PHOTOGRAPHS  
FORMER SURATH SCRAP YARD INCLUDING  
PARCELS: 160-021-151-002-000,  
160-021-151-003-000, 160-021-151-004-000,  
160-021-151-005-000  
BAY CITY, MICHIGAN  
PROJECT NUMBER : 6446s-1-17*

TAKEN BY: JJBW  
DATE: 01-14-10





*PHOTOGRAPH 7: SUBJECT PROPERTY  
VIEW OF SUBJECT PROPERTY*

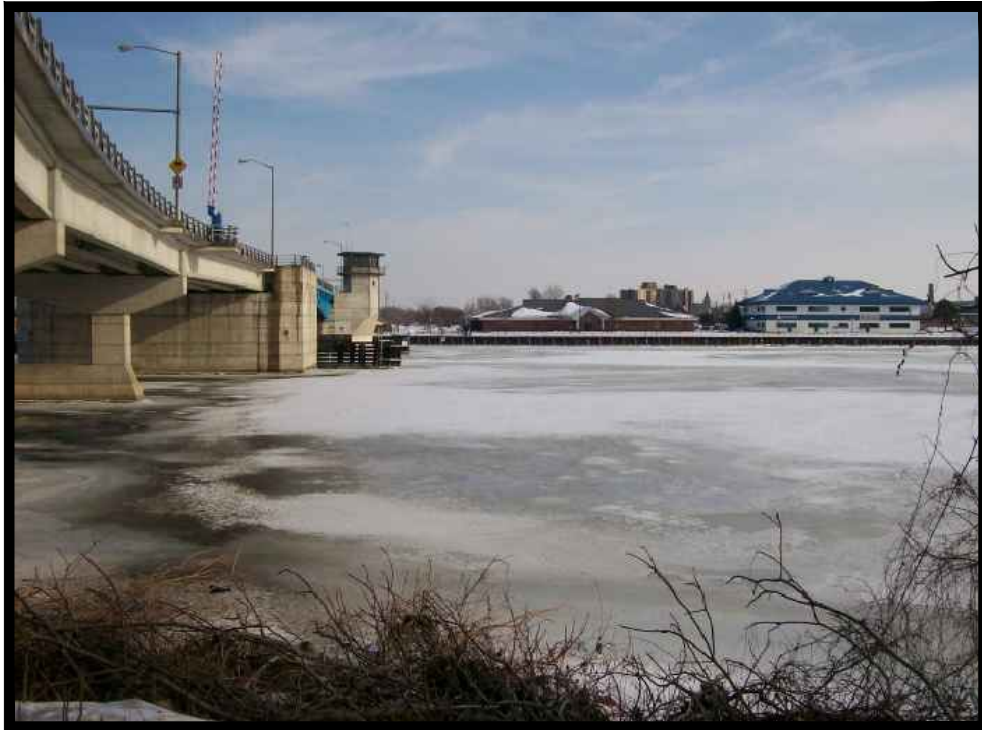


*PHOTOGRAPH 8: ADJOINING PROPERTY  
VIEW OF ADJOINING PROPERTY TO THE NORTH*

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*RECONNAISSANCE PHOTOGRAPHS  
FORMER SURATH SCRAP YARD INCLUDING  
PARCELS: 160-021-151-002-000,  
160-021-151-003-000, 160-021-151-004-000,  
160-021-151-005-000  
BAY CITY, MICHIGAN  
PROJECT NUMBER : 6446s-1-17*

TAKEN BY: JJBW  
DATE: 01-14-10



*PHOTOGRAPH 9: ADJOINING PROPERTY  
VIEW OF ADJOINING PROPERTY TO THE EAST*



*PHOTOGRAPH 10: ADJOINING PROPERTY  
VIEW OF ADJOINING PROPERTY TO THE SOUTH*

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**RECONNAISSANCE PHOTOGRAPHS**  
FORMER SURATH SCRAP YARD INCLUDING  
PARCELS: 160-021-151-002-000,  
160-021-151-003-000, 160-021-151-004-000,  
160-021-151-005-000  
BAY CITY, MICHIGAN  
PROJECT NUMBER : 6446s-1-17

TAKEN BY: JJBW  
DATE: 01-14-10



*PHOTOGRAPH 11: ADJOINING PROPERTY  
VIEW OF ADJOINING PROPERTY TO THE WEST*



*PHOTOGRAPH 12: ADJOINING PROPERTY  
VIEW OF ADJOINING PROPERTY TO THE WEST*





*PHOTOGRAPH 13: ADJOINING PROPERTY  
VIEW OF ADJOINING PROPERTY TO THE WEST*

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*RECONNAISSANCE PHOTOGRAPHS  
FORMER SURATH SCRAP YARD INCLUDING  
PARCELS: 160-021-151-002-000,  
160-021-151-003-000, 160-021-151-004-000,  
160-021-151-005-000  
BAY CITY, MICHIGAN  
PROJECT NUMBER : 6446s-1-17*

TAKEN BY: JJBW  
DATE: 01-14-10

## **APPENDIX B**

### **HISTORIC AERIAL PHOTOGRAPHS**



INQUIRY #: 2352493.4

YEAR: 1938

| = 500'



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*1938 AERIAL PHOTOGRAPH*

*PARCELS: 160-021-151-002-000,  
160-021-151-003-000, 160-021-151-004-000,  
160-021-151-005-000  
BAY CITY, MICHIGAN  
PROJECT NUMBER : 6446s-1-17*

DRAWN BY: OGO  
DATE: 01-28-10







INQUIRY #: 2352493.4

YEAR: 1950

| = 500'



**AKT**PEERLESS  
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1950 AERIAL PHOTOGRAPH

PARCELS: 160-021-151-002-000,  
160-021-151-003-000, 160-021-151-004-000,  
160-021-151-005-000  
BAY CITY, MICHIGAN  
PROJECT NUMBER : 6446s-1-17

DRAWN BY: OGO  
DATE: 01-28-10







INQUIRY #: 2352493.4

YEAR: 1963

| = 500'



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1963 AERIAL PHOTOGRAPH

PARCELS: 160-021-151-002-000,  
160-021-151-003-000, 160-021-151-004-000,  
160-021-151-005-000  
BAY CITY, MICHIGAN  
PROJECT NUMBER : 6446s-1-17

DRAWN BY: OGO  
DATE: 01-28-10







INQUIRY #: 2352493.4

YEAR: 1969

| = 500'



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1969 AERIAL PHOTOGRAPH

PARCELS: 160-021-151-002-000,  
160-021-151-003-000, 160-021-151-004-000,  
160-021-151-005-000  
BAY CITY, MICHIGAN  
PROJECT NUMBER : 6446s-1-17

DRAWN BY: OGO  
DATE: 01-28-10







INQUIRY #: 2352493.4

YEAR: 1978

| = 600'



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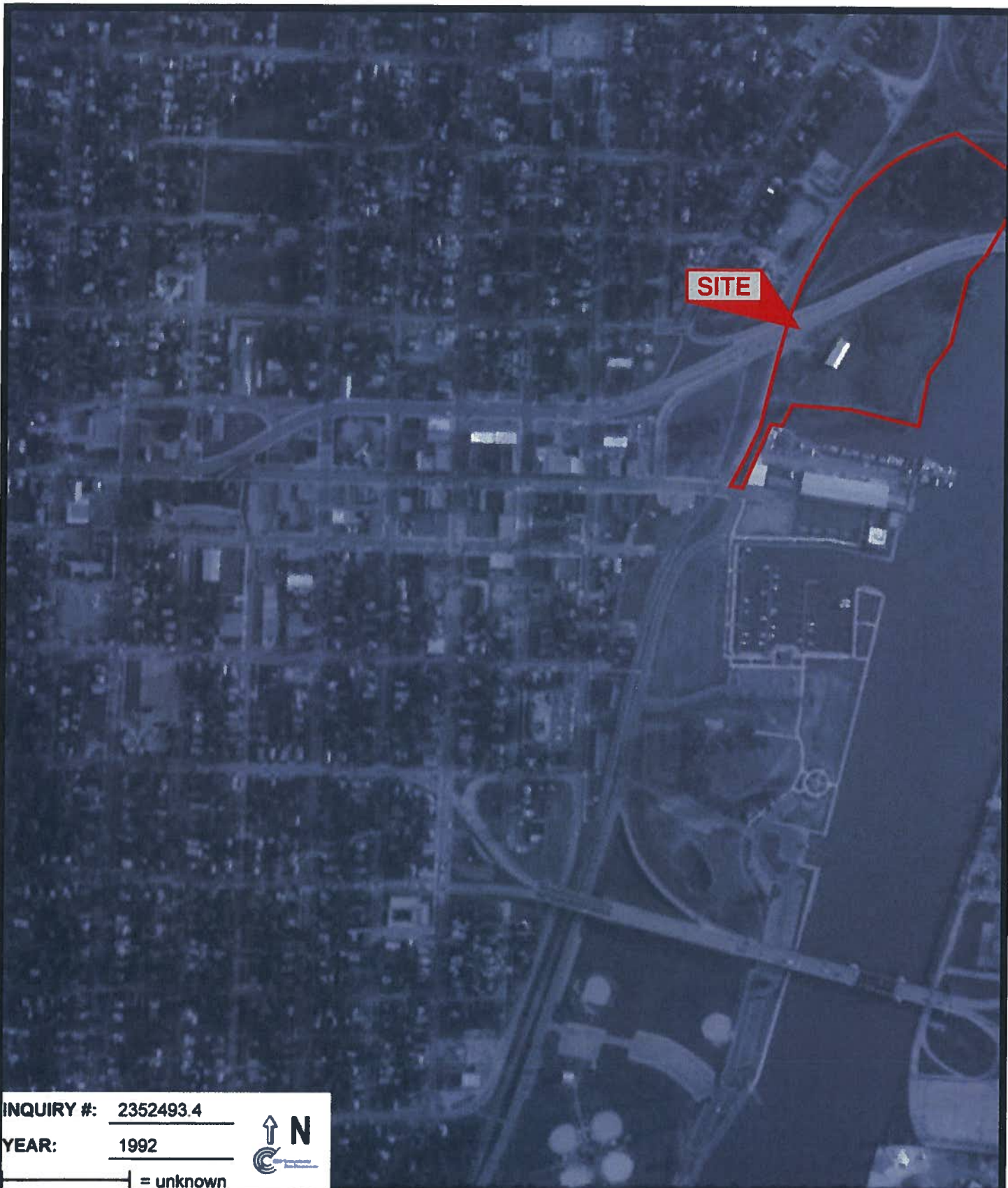
1978 AERIAL PHOTOGRAPH

PARCELS: 160-021-151-002-000,  
160-021-151-003-000, 160-021-151-004-000,  
160-021-151-005-000  
BAY CITY, MICHIGAN  
PROJECT NUMBER : 6446s-1-17

DRAWN BY: OGO  
DATE: 01-28-10







INQUIRY #: 2352493.4

YEAR: 1992

= unknown



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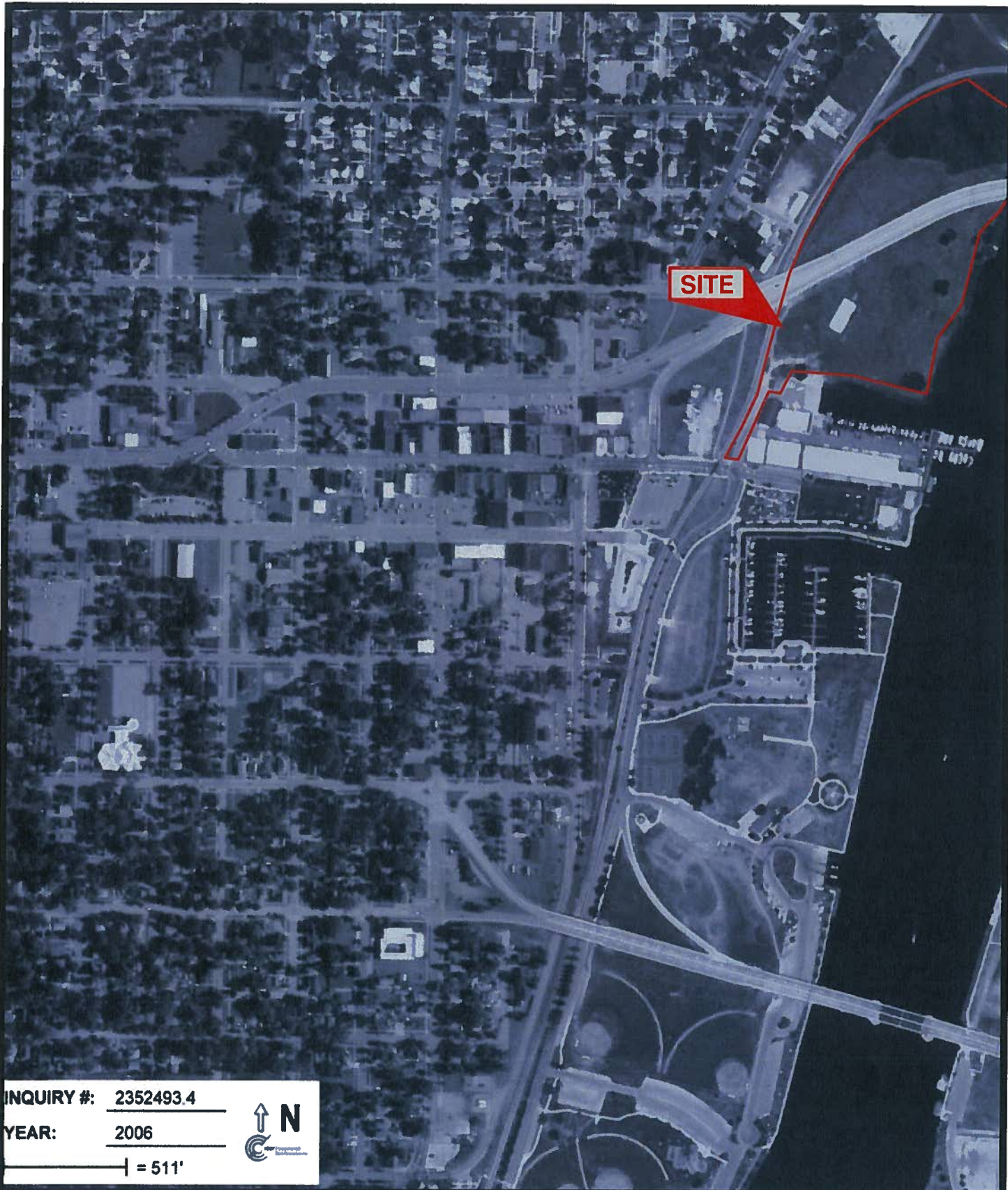
1992 AERIAL PHOTOGRAPH

PARCELS: 160-021-151-002-000,  
160-021-151-003-000, 160-021-151-004-000,  
160-021-151-005-000  
BAY CITY, MICHIGAN  
PROJECT NUMBER : 6446s-1-17

DRAWN BY: OGO  
DATE: 01-28-10







INQUIRY #: 2352493.4

YEAR: 2006

| = 511'



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WWW.AKTPEERLESS.COM

2006 AERIAL PHOTOGRAPH

PARCELS: 160-021-151-002-000,  
160-021-151-003-000, 160-021-151-004-000,  
160-021-151-005-000  
BAY CITY, MICHIGAN  
PROJECT NUMBER : 6446s-1-17

DRAWN BY: OGO  
DATE: 01-28-10



## Application for Federal Assistance SF-424

\* 1. Type of Submission:

- ☐ Preapplication  
☒ Application  
☐ Changed/Corrected Application

\* 2. Type of Application:

- ☒ New  
☐ Continuation  
☐ Revision

\* If Revision, select appropriate letter(s):

\* Other (Specify):

\* 3. Date Received:

12/18/2015

4. Applicant Identifier:

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

\* a. Legal Name:

City of Bay City

\* b. Employer/Taxpayer Identification Number (EIN/TIN):

386004659

\* c. Organizational DUNS:

0662018440000

d. Address:

\* Street1:

301 Washington

Street2:

\* City:

Bay City

County/Parish:

\* State:

MI: Michigan

Province:

\* Country:

USA: UNITED STATES

\* Zip / Postal Code:

48708-5837

e. Organizational Unit:

Department Name:

Division Name:

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:

\* First Name:

Sara

Middle Name:

\* Last Name:

Dimitroff

Suffix:

Title:

Organizational Affiliation:

\* Telephone Number:

9898948159

Fax Number:

\* Email:

sdimitroff@baycitymi.org

## Application for Federal Assistance SF-424

### \* 9. Type of Applicant 1: Select Applicant Type:

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

\* Other (specify):

### \* 10. Name of Federal Agency:

Environmental Protection Agency

### 11. Catalog of Federal Domestic Assistance Number:

66.818

CFDA Title:

Brownfields Assessment and Cleanup Cooperative Agreements

### \* 12. Funding Opportunity Number:

EPA-OSWER-OBLR-15-06

\* Title:

FY16 Guidelines for Brownfields Cleanup Grants

### 13. Competition Identification Number:

Title:

### 14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

### \* 15. Descriptive Title of Applicant's Project:

Site Specific Hazardous Substance Clean-up Grant

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

**Application for Federal Assistance SF-424****16. Congressional Districts Of:**\* a. Applicant \* b. Program/Project 

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

**17. Proposed Project:**\* a. Start Date: \* b. End Date: **18. Estimated Funding (\$):**

* a. Federal	<input type="text" value="150,000.00"/>
* b. Applicant	<input type="text" value="30,000.00"/>
* c. State	<input type="text" value="0.00"/>
* d. Local	<input type="text" value="0.00"/>
* e. Other	<input type="text" value="0.00"/>
* f. Program Income	<input type="text" value="0.00"/>
* g. TOTAL	<input type="text" value="180,000.00"/>

**\* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- ☐ a. This application was made available to the State under the Executive Order 12372 Process for review on .
- ☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- ☒ c. Program is not covered by E.O. 12372.

**\* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**☐ Yes ☒ No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

**21. \*By signing this application, I certify (1) to the statements contained in the list of certifications\*\* and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances\*\* and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

☒ \*\* I AGREE

\*\* The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

**Authorized Representative:**

Prefix:  \* First Name:

Middle Name:

\* Last Name:

Suffix:

\* Title: \* Telephone Number:  Fax Number: \* Email: \* Signature of Authorized Representative:  \* Date Signed: